# Superintendent’s Memo #070-19

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**COMMONWEALTH of VIRGINIA   
Department of Education**

DATE: March 29, 2019

TO: Division Superintendents

FROM: James F. Lane, Ed.D., Superintendent of Public Instruction

## SUBJECT: CEP ISP Data Collection and Annual Notification of LEA CEP Eligibility

The purpose of this memorandum is to meet three regulatory requirements for the Community Eligibility Provision (CEP) of the United States Department of Agriculture (USDA).

* The first is to collect school-level data as of April 1, 2019, on the number of directly certified free students and total enrollment to establish the Identified Student Percentage (ISP) for each school to determine CEP eligibility for the 2019-2020 school year. This is required for all schools for public posting and for the 2019-2020 CEP application.
* The second is to notify those local educational agencies (LEAs) currently participating in CEP of CEP cycles that will expire on June 30, 2019. See Note three in Attachment B to this memorandum for LEAs with an expiring CEP cycle that must submit a new application to continue CEP participation for the 2019-2020 school year.
* The third is to provide the required annual notification to LEAs that may be eligible or near eligible to participate in CEP divisionwide. See Attachment B to this memorandum for a listing of potentially eligible and near eligible LEAs based on a calculated Identified Student Percentage (ISP) using data reported previously this school year. The reported April 1, 2019, data will be used to determine the actual divisionwide ISP and must be used in the CEP application for the 2019-2020 school year.

The CEP school meal program provides the option for eligible LEAs and schools with high percentages of low-income households to offer school breakfast and lunch meals at no charge to all students in participating schools without collecting meal applications.

### Identified Students and the Identified Student Percentage (ISP)

Identified Studentsare defined as students approved for free meals through means other than individual household applications. This definition includes students who are directly certified for free meals based on their participation in the Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance for Needy Families (TANF) or directly certified for free meals based on Medicaid income data. Identified Students also include homeless, runaway, migrant, and Head Start students, as well as foster children, approved categorically eligible for free meals by means other than a meal application, such as through the LEA liaison or other LEA records. It does not include students who are categorically eligible based on information submitted on a meal application, such as SNAP or TANF case numbers. The Identified Student Percentage (ISP) will be determined by dividing the number of identified students for each site by its enrollment. Data submitted by school divisions will be reviewed by the Virginia Department of Education (VDOE) and consolidated into a state report that will be posted to the VDOE Web site by May 1, 2019.

All school divisions and school food authorities (SFAs) must submit the April 1, 2019, number of Identified Students and enrollment for each school/site in the School Nutrition Program Web-based software (SNPWeb). Data for all schools/sites must be reported, including schools and divisions currently operating under CEP and those that do not operate under CEP or do not meet CEP eligibility requirements. The Identified Student data submitted in this required report must reflect all students who were directly certified for free meals as of **April 1, 2019**. **The deadline to submit the data in SNPWeb is Monday, April 15, 2019, at 5 p.m**.

### Reporting ISP Data for Currently Participating CEP Schools

Detailed instructions for the SNPWeb CEP ISP Site Eligibility Report are in Attachment A to this memorandum. SFAs must report data for all schools/sites in the SFA, including those already participating in CEP. School divisions and SFAs with one or more schools/sites operating under CEP must report the current April 1, number of Identified Students and enrollment for each individual site, regardless of validated base year data from the approved CEP application. The individual site data must be reported even if the site participates in CEP as part of a group or divisionwide. If the reported ISP for a participating site has increased since the base year, the SFA should plan to update the ISP through a new CEP application for 2019-2020. If the reported ISP for a participating site has decreased, no new CEP application will be required and the site will continue with the validated ISP in the 2019-2020 cycle year.

### Annual LEA Notification of Divisionwide CEP Eligibility

The VDOE is also required to provide an annual notification, by April 15, to all LEAs with CEP divisionwide eligibility that meets the criteria below. The annual LEA divisionwide CEP notification was developed using data previously reported to VDOE by SFAs and is in Attachment B to this memorandum. The notification includes:

* LEAs potentially eligible for CEP with a calculated divisionwide ISP of 40 percent or more;
* LEAs near eligible for CEP with a calculated divisionwide ISP of at least 30 but less than 40 percent;
* LEAs currently participating in CEP, regardless of divisionwide ISP; and,
* LEAs currently participating in CEP that have reached the end of the four-year cycle and are required to reapply for one or more schools in the upcoming school year.

### CEP Eligibility, Planning and Implementation Guidance, and Applying to Participate

School divisions that meet the CEP eligibility threshold of 40 percent or more Identified Students divisionwide, or for one or more schools, are encouraged to consider implementing CEP in the upcoming school year. Schools, groups of schools, and school divisions with an Identified Student Percentage of 62.5 or greater qualify to provide meals at no charge (free) to all students and to receive the free reimbursement rate for all student meals served. Those with an Identified Student Percentage of 55 to 62.4 qualify to provide meals at no charge to all students and receive free reimbursement for 88 to 99 percent of the meals served. Those with an ISP less than 55 percent should evaluate the financial impact of implementing CEP to determine if it is financially feasible. Meals not reimbursed at the free rate are reimbursed at the paid rate and there are no student payments collected for any revenue shortfall. The VDOE has resources and technical assistance available to assist with a financial evaluation. For more information about CEP, the USDA [Community Eligibility Provision: Planning and Implementation Guidance Manual](https://fns-prod.azureedge.net/sites/default/files/cn/SP61-2016-CEP_Guidance.pdf) consolidates CEP guidance and best practices in one document.

A Superintendent’s Memorandum will be published in May to provide instructions on how to apply to participate in CEP for school year 2019-2020. The CEP application will be submitted in the SNPWeb software as part of the 2019-2020 application packet. The CEP application will be available in SNPWeb after the May 1 public posting of the ISP data. The deadline to submit CEP applications is June 30, annually. Extensions of this CEP application deadline are not permitted by USDA regulations.

If you have questions or need more information, please contact the school nutrition program regional specialist assigned to your school division, or Dr. Sandy Curwood, Director of School Nutrition Programs, at [sandra.curwood@doe.virginia.gov](mailto:sandra.curwood@doe.virginia.gov) or at (804) 225-2074.

JFL/SCC/lj

### Attachments

1. Instructions to Submit the April 1 Identified Student Percentage Data in SNPWeb
2. LEA Notification of Expiring CEP and Potential Divisionwide Eligible and Near

Eligible