

Community Eligibility Program Guidelines (CEP)

Eligibility Cycle for:

SY23: (July 1, 2022-June 30, 2023)

SY24: (July 1, 2023-June 30, 2024)

SY25: (July 1, 2024-June 30, 2025)

SY26: (July 1, 2025-June 30, 2026)

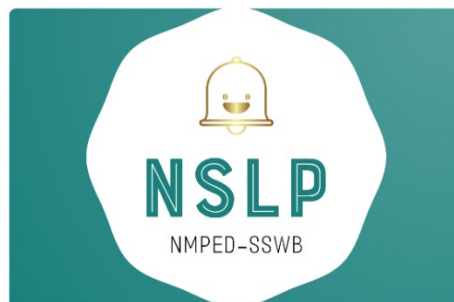


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CEP Guidelines Due June 30, 2022

COMMUNITY ELIGIBILITY PROVISION INFORMATION



NEW MEXICO PUBLIC EDUCATION DEPARTMENT

General Guidance

The Healthy, Hunger-Free Kids Act of 2010 provides an alternative method in order to qualify students for the National School Lunch and School Breakfast Programs. The intent of the Community Eligibility Provision (CEP) is to improve access to free school meals in eligible high-poverty Local Educational Agencies (SFAs) and schools and to eliminate the administrative burden of collecting household applications.

SFAs and schools participating in the Community Eligibility Provision (CEP) must serve both National School Lunch Program (NSLP) and School Breakfast Program (SBP) meals to all participating children at no charge for up to four consecutive years. SFAs or schools must have an Identified Student Percentage (ISP) of at least 40% to participate in the CEP.

The Identified Students are students certified for free meals through means other than individual household applications; this primarily includes students who are directly certified for free meals on the basis of their participation in the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and the Food Distribution Program on Indian Reservations (FDPIR). It also includes homeless, runaway, HeadStart, Even Start, and migrant youth. It does not include students who are categorically eligible based on submission of a free and reduced price application (e.g., applications with a SNAP application number).

The SFA must inform the Public Education Department (PED) Student Success and Wellness Bureau (SSWB) in writing of the planned activity for upcoming school year, no later than **June 30, 2022**.

Student match data and extended eligibility data can be accessed at <https://eui.ped.state.nm.us/sites/DirectCert/default.aspx>. This data is matched using data from STARS with data from the SNAP agency, as well as other sources, (Foster-FACTS, Migrant-MIS2000).

- SFA's electing to participate for SY23-27 CEP, the SFA should use "**March 2022 Snapshot Data**" (as this reports on **April, 1 2022 eligibility data**). However, it is the SFA's final responsibility to provide all source documentation to support eligibility.

Schools must be prepared to pay the difference between total federal meal reimbursement and the cost of providing all meals (breakfast and lunch) at no charge, from sources other than federal funds, such as the general fund. An estimator of revenue and costs under CEP can be found on USDA FNS's website: <https://www.fns.usda.gov/cn/community-eligibility-provision-resource-center>.

The SFA or school participating in CEP must comply with the following:

- Notify the PED SSWB as to which school or group of schools is implementing CEP for **SY23-26**, by **June 30, 2022** by completing the CEP Guidelines completely, correctly, and providing supporting source documentation.
- Notify the public, via Media Release as to the availability of school meals at no charge.

- Provide notifications to households, as to the availability of school meals at no charge.
- Eliminate distribution of Free and Reduced Applications to households. Count meals at the point of service (or approved alternate) and claim those meals according to the established free and paid claiming percentages.

Included with this packet is the ***Policy Statement***, the ***School Food Authority Assurance, School Food Authority Certifications***, the ***Media Release Prototype*** to notify the public, and a ***Household Notification Letter Prototype*** to send to households enrolled in CEP Schools.

A completed and signed NMPED CEP Guidelines, ***with supporting source documentation*** must be returned to NMPED no later than **June 30, 2022**.

Please see the following resources for additional information:

<https://www.fns.usda.gov/nsip/community-eligibility-provision-resource-center>
<http://www.fns.usda.gov/sites/default/files/cep101.pdf> <http://www.fns.usda.gov/school-meals/community-eligibility-provision>

Contact the SSWB if you have any questions at: kate.ullrich2@state.nm.us

CEP Guidelines Due June 30, 2022

POLICY STATEMENT



NEW MEXICO PUBLIC EDUCATION DEPARTMENT

The _____ School Food Authority agrees to participate in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) 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 Sec. 245.

The School Food Authority (SFA) assures the Public Education Department (PED) SSWB, the SFA 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 SFA certifies that each of the schools listed meets the USDA requirements for participation in CEP.

Requirements:

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

Eliminate the distribution and collection of Free and Reduced Applications from households in participating CEP schools.

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

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

SFA's are **not** to conduct eligibility verification efforts for those schools participating in the CEP.

Retain all records for the entire period the school operates under CEP, plus three federal fiscal years, or longer if there are audit findings and until resolution of the findings, as per 7 CFR Secs. 210.15(b), 220.7(e), 245.9(g) and 1 CCR 2254-R-8.00.

Provide the PED SSWB with supporting / source documentation that demonstrates how the ISP was calculated for each school that chooses to participate in CEP.

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

The opening of a new school, change of district or school level attendance boundaries, 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 PED before the start of the School Year.

Recordkeeping:

The School District shall maintain records for the entire period that the school operates under CEP plus three federal fiscal years, or longer if there are audit findings and until resolution of the findings, as per 7 CFR Secs. 210.15(b), 220.7(e), 245.9(g) and 1 CCR 2254-R-8.00.

Required records include:

- Countersigned CEP Guidelines SY23-26
- Changes in eligibility status
- Total daily meal counts of reimbursable meals by meal type
- Calculation of free and paid claiming percentages
- Any extension authorized by PED SSWB
- Claims for reimbursement
- Daily edit check and on-site review documentation

Required Supporting Documentation / Source Data include:

Supplemental Nutrition Assistance Program (SNAP)	<ul style="list-style-type: none"> • Direct Certification Match Summary Report from DC Reports: Summary and ISP of Schools, from March 2022 SNAPSHOT. • Direct Certification Match Report from DC Reports: Names of children currently certified to receive SNAP benefits, from March 2022 SNAPSHOT. • Extended Eligibility: Names of children from STARS with the status of Poverty Code #3 (Economic Disadvantaged Status Code #3), from March 2022 SNAPSHOT.
Food Distribution Program on Indian Reservations (FDPIR)	<ul style="list-style-type: none"> • Names of children (or any household member) currently certified to receive FDPIR benefits; • Statement certifying that each child is a member of a household where someone receives FDPIR benefits; • From SFA, one form of identifying information matching each FDPIR-eligible child with a child attending a particular school; • The date; and • The FDPIR official's signature
Head Start or Early Head Start participant	<ul style="list-style-type: none"> • A list of children enrolled in Head Start or an identical State funded pre-kindergarten (STARS) from current School Year.
Migrant child	<ul style="list-style-type: none"> • A dated list with each child's name and an electronic match directly indicating the status of the child as a migrant child without further application (MIS2000), from current School year.
Homeless child	<ul style="list-style-type: none"> • Documentation verifying the child participates in a program under the Runaway and Homeless Youth Act, including: <ul style="list-style-type: none"> ○ Child's name or a list of names of participating children; ○ Effective dates; and ○ Signature of the school district's homeless liaison or other designated officials. OR • Documentation from the local education agency homeless liaison or an official of the homeless shelter where the child resides, including: <ul style="list-style-type: none"> ○ Child's name or a list of names of residents; ○ Effective dates; and ○ Signature of the local education agency liaison or official of the homeless shelter.
Foster child	<ul style="list-style-type: none"> ○ A dated list with each child's name and an electronic match directly indicating the status of the child as a FOSTER child without further application (FACTS).

Renewal or Extension:

At the end of this four-year cycle (*June 30, 2026*), the SFAs should contact the PED SSWB and notify the PED SSWB whether it wishes to revert to standard meal counting and claiming procedures, Provision 2 status or begin another four-year cycle of CEP. Regardless of the option chosen, the SFA must inform PED in writing of the planned activity at the end of this CEP cycle, **June 30, 2026**.

NMPED Guidelines:

Submit to the PED SSWB the signed and completed NMPED Guidelines indicating which schools will participate in CEP. CEP provides the option of participating by individual school sites, a group of schools or the entire school district. This packet, and all supporting documentation must be submitted no later than **June 30, 2022**.

_____	_____	_____
School Food Authority Authorizing Official Name	Signature	Date

_____	_____	_____
PED SSWB Director Name	Signature	Date

CEP Guidelines Due June 30, 2022

SCHOOL FOOD AUTHORITY ASSURANCES



NEW MEXICO PUBLIC EDUCATION DEPARTMENT

The _____ School Food Authority agrees to agree that it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.); all provisions required by the implementing regulations of the Department of Agriculture; Department of Justice Enforcement Guidelines, 28 CFR Part 50.3 and 42; and FNS directives and guidelines, to the effect that, no person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied benefits of, or otherwise be subject to discrimination under any program or activity for which the program applicant receives Federal financial assistance from FNS; and hereby gives assurance that it will immediately take measures necessary to effectuate this Agreement.

School Food Authority Authorizing Official Name

Signature

Date

PED SSWB Director Name

Signature

Date

CEP Guidelines Due June 30, 2022

SCHOOL FOOD AUTHORITY CERTIFICATIONS



NEW MEXICO PUBLIC EDUCATION DEPARTMENT

School Food Authority: _____ SFA Number: _____

National School Lunch Program (NSLP) and School Breakfast Program (SBP): 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 and School Breakfast Program to codify the statutory provision that establishes the Community Eligibility Provision (CEP). This provision is a reimbursement option for eligible local educational agencies (SFAs) and schools that wish to offer free school meals to all children in high-poverty schools without collecting household applications.

The SFA may implement this provision by district, group of schools, or for individual schools. If the SFA 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) will be used to claim free and paid student meals.

Food Service Director, please initial below:

I certify that have read and understand the above information related to the CEP. I certify that I am aware of federal requirements for participation in the CEP and will abide by all state and federal requirements for participation.

Initials

I certify that I have submitted accurate ISP data with data reflective of enrollment of participating CEP Schools as of [April 1, 2022](#).

Initials

I certify that the source records and supporting documentation used to confirm the ISP will be maintained the entire time any of the schools listed operate CEP, plus three federal fiscal years.

Initials

I understand and certify schools listed will make meals available to all students at no cost, while the School(s) are participating in CEP.

Initials

I certify that I will adhere to the yearly CEP Notification requirements:

- Public Media Release
- Notice to Households to all students enrolled in schools listed under **CEP School and ISP List**.

Initials

In choosing to implement this provision, I certify that I understand that it must be implemented for breakfast and lunch meal service.

Initials

I certify the Recordkeeping Requirements according to 7 CFR 245.9(h)(3), and listed under the Policy Statement will be maintained for three federal fiscal years after submission of the final Claim for Reimbursement for the last federal fiscal year of CEP. If a school chooses to return to standard counting and claiming, I certify that I will maintain the supporting/source documentation for three federal fiscal years after submission of the final Claim for Reimbursement for the last federal fiscal year of CEP.

Initials

I certify the SFA 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

Initials

I certify that I am the person authorized to make this determination.

Initials

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

School Food Authority Authorizing Official Name

Signature

Date

PED SSWB Director Name

Signature

Approval Date

Submit to the New Mexico Public Education Department, SSWB, via electronic mail at: kate.ullrich2@state.nm.us.
Forms must be signed.

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CEP SCHOOL AND ISP LIST



NEW MEXICO PUBLIC EDUCATION DEPARTMENT

CEP School and ISP List

- The Identified Student Percentage (ISP) is calculated and multiplied by a factor of 1.6 to arrive at the free claiming percentage.
- Please identify any Groups by consecutive number (1,2,3,4, etc).
- Please identify the Group ISP at the bottom.
- Please use STARS-DC “**March 2022**” Snapshot data, as this covers **April 1, 2022** data.

School Food Authority: _____ **SFA Number:** _____

[illegible]

NM Guidelines and supporting documentation / source data is due to the Public Education Department, Student Success and Wellness Bureau no later than **June 30, 2022.**

Please email to:

Kate Ullrich, Data Coordinator

kate.ullrich2@state.nm.us

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, disability, age, 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: [How to File a Complaint](#), 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.

CEP Guidelines Due June 30, 2022

Sample Letter of Notice to Households of Free Meals for Community Eligibility Provision (for SFA use, please use this beginning SY23 - July 1, 2022)

Dear Parent or Guardian:

Great news for you and your children! All students at *[insert name of school]* can get a free healthy breakfast and lunch at school during the school year. What do you have to do?

- You do not need to do anything.
- You do not have to pay any money or fill out any forms.
- You do not need to send your child to school early for breakfast. Breakfast will be part of the school day.

Our school is getting free meals for all students as part of the National School Lunch Program (NSLP) and School Breakfast Program (SBP) through a choice for schools called the Community Eligibility Provision (CEP).

If you have any questions, please call me at *[insert phone number]*.

Sincerely,

[Insert name and title]

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Sample Media Release for Community Eligibility Provision (for SFA use, please use this beginning SY23 - July 1, 2022)

The *(Insert Name(s) of School(s))* announced today it will operate the Community Eligibility Program (CEP) under the National School Lunch Program and School Breakfast Program for the *[SY22-23, SY23-24, SY24-25, SY25-26,]* school year.

Schools qualifying to operate CEP serve breakfast and lunch to all children at no charge and eliminate the collection of meal applications for free, reduced-price, and paid student meals. This new approach reduces burdens for both families and school administrators and helps ensure that students receive nutritious meals.

For additional information please contact the following person:

[Insert Name of School / SFA]
Attention: *[Enter Contact Name and Title]*
[Insert Department or Division]
[Insert Address]
[Insert City, State, Zip, and Contact Phone Number]
[Insert Email Address]

Sincerely,

[signature]

Non-discrimination Statement:

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