

# Community Eligibility Provision Work Session: Mid-Year Implementation & Preparing for SY 2023-2024



**USDA Food  
and Nutrition Service**

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**Child Nutrition Programs**  
December 6, 2023



# Agenda



- **FNS Overview of SY 2023-24 CEP Plans**
- **Connections between NSLP and ESEA programs**
- **Measuring Poverty & Administrative Data**
- **Open discussion/ Q&A**



# FNS Overview of SY 2023-24 CEP Plans

Rolling Out & Supporting Final CEP Rule

Updating Guidance & CEP Website

Planning for SY 2024-25



# Final Rule-Child Nutrition Programs: Community Eligibility Provision- Increasing Options for Schools

Provision	Previous Minimum ISP	New Minimum ISP (Effective 10/26/2023)
<b>Minimum ISP Threshold</b>	40 percent or higher to elect CEP (ISP ≥40)	25 percent or higher to elect CEP (ISP ≥25)
<b>Grace Year Eligibility</b>	Less than 40 percent but equal to or greater than 30 percent (30 ≤ ISP < 40)	Less than 25 percent but equal to or greater than 15 percent (15 ≤ ISP < 25)
<b><u>Eligible LEAs &amp; Schools:</u> Identification, Notification and Publishing Lists</b>	40 percent or higher (ISP ≥40)	25 percent or higher (ISP ≥25)
<b><u>Nearly Eligible LEAs &amp; Schools:</u> Identification, Notification and Publishing Lists</b>	Less than 40 percent but equal to or greater than 30 percent (30 ≤ ISP < 40)	Less than 25 percent but equal to or greater than 15 percent (15 ≤ ISP < 25)



# Support CEP Mid-Year Implementation

Rule was Effective October 26, 2023

Approval of State Waivers Required  
for Mid-Year Implementation

Offer Technical Assistance



Website: [fns.usda.gov/cn/community-eligibility-provision](https://fns.usda.gov/cn/community-eligibility-provision)



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# Updating CEP Guidance & Website

## CEP Guidance Updates

CEP Planning and Implementation Guidance (early 2024)

CEP Q&As (early 2024)

CEP Notification Memo (early 2024)

## CEP Resource Center Updates

Removed outdated resources

Policy memos

One-page CEP summary (early 2024)

Other suggestions?

<https://www.fns.usda.gov/cn/community-eligibility-provision-resource-center>



# CEP Manual Updates

## Significant Updates to Manual:

- Final rule, lowering minimum ISP to 25% + conforming changes
- Current stage of CEP implementation
- Clarify funding that can be used to support CEP
- Miscellaneous Updates



# Planning for SY 2024-25

Webinars & Conference Presentations

Collaboration with US Department of Education

Support of States Offering Healthy School Meals  
for All







**Any Questions?**

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# Connections Between Data from the NSLP and Programs under the Elementary and Secondary Education Act of 1965 (ESEA) Administered by the U.S. Department of Education (ED)



U.S. Department of  
Education (ED)

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Todd Stephenson

USDA and ED Collaboration



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# ESEA and NSLP Connections

- **Title I, Part A (Title I):**
  - Within-LEA allocations to eligible public schools
  - Equitable services by LEA to eligible participants in private schools
  - Within-State allocations for special LEAs (deriving a Census poverty count)
  - Reporting and accountability
  - Within-State allocations for small LEAs (applies in 10 States only)
- **Title II, Part A (Title II): Within-State allocations for special LEAs (deriving a Census poverty count)**
- **Rural and Low-Income School Program (RLIS): Within-State allocations for special LEAs (deriving a Census poverty count)**

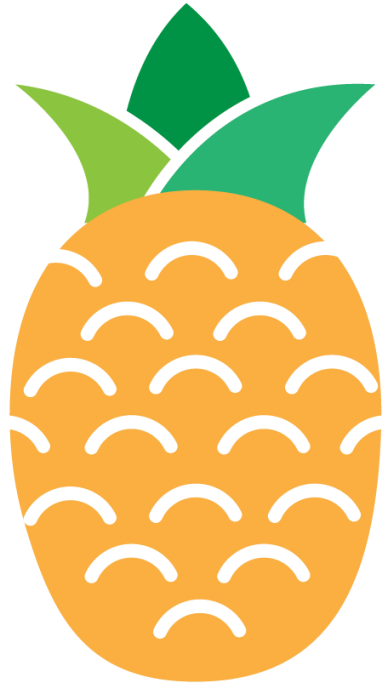


# Within-LEA allocations (Title I)

- **School eligibility for Title I funds: Percentage of children from low-income families must equal or exceed the LEA's percentage of children from low-income families or 35 percent**
- **Eligible school's receipt of Title I funds:**
  - Receive funds in rank order of poverty
  - Schools above 75 percent poverty must receive funds in rank order without regard to grades served; LEA may allocate by grade span for other schools
  - Higher poverty school receives at least as much per low-income student as lower poverty school



# Within-LEA allocations (Title I)



## Within-LEA allocations (Title I) background:

To determine the number of low-income children, ESEA provides LEAs with choices:

- NSLP data
- Medicaid data
- Temporary Assistance for Needy Families (TANF) data
- Census data
- Composite of sources

# ED ESEA/NSLP Resources

- [Nonregulatory guidance on within-LEA Title I allocations \(2022\)](#): See especially [Determining School Poverty Counts and Ranking \(pages 6-7\)](#) and [CEP \(Appendix A\)](#)
- [Revised nonregulatory guidance on Title I equitable services \(2023\)](#): See especially [B-19 to B-22](#)
- [Title I CEP guidance \(2015\)](#): See especially [within-State allocations \(questions 31 and 32\)](#) and [Title I accountability \(questions 33 and 34\)](#)





**Any Questions?**

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# The Identified Student Percentage (ISP): A new standard for measuring and reporting school poverty?



**U.S. Department of  
Education (ED)**

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**Doug Geverdt**

**USDA and ED Collaboration**

This presentation is intended to encourage discussion and to inform interested parties of current research. The views expressed are solely those of the author and are not necessarily those of the National Center for Education Statistics.



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# Data Uses and Concerns

- **School poverty indicators are essential for federal/state programs, research, policy, etc.**
- **NSLP F/RP counts are the de facto data standard**
- **NSLP program changes introduced challenges for data users:**
  - National comparisons were complicated by inconsistent reporting
  - Inconsistency highlighted differences between program eligibility and poverty thresholds
  - Criticism about F/RP indicator sparked new measures
  - Efforts to improve options for high poverty schools produced data that made it more difficult for other programs to improve options for high poverty schools
- **Data users need a school poverty indicator that is better aligned with the poverty threshold and reported consistently by all states.**
- **Should the ISP become the new standard for measuring and reporting school poverty?**



# ISP Benefits and Needs

- **Why would it be useful to standardize on the ISP?**

- Better alignment with poverty threshold
- Relies on existing administrative and data infrastructure (vs. non-NSLP metric)
- Better consistency across states (vs. F/RP)
- More stable and cost-effective (vs. non-NSLP metric)
- Provide new administrative data option for national programs (e.g., rural education)
- Appealing to researchers, program administrators, and policymakers
- Kudos for child nutrition programs

- **What additional data would be needed?**

- All States report full range of ISP (or proxy) values, including those < 15%
- All States include school and LEA education ID on all public school records



# Could it work? Operational Questions

- Do you currently use ISP for other types of internal decisions? If not, why not?
- If you limit public reporting to schools above the threshold, are you able to report a full set of schools?
- What percent of public schools in your state do not participate in NSLP?
- Do you maintain a crosswalk between Food Service Agency IDs and State Education IDs?
- Could you include Education IDs (LEA and school) on your publicly reported school file?  
Could you report Education LEA IDs on your publicly reported LEA file?
- How different is your Proxy ISP vs Final ISP? Modest? Substantial?
- What would be the most challenging issues in adopting ISP as the standard school poverty metric for State activities and for national reporting?
- What questions am I not asking that I should be asking?





# Open Discussion & Questions

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