



#076-22

Commonwealth of Virginia
Virginia Department of Education
Superintendent's Memo #076-22

DATE: April 8, 2022
TO: Division Superintendents
FROM: Jillian Balow, Superintendent of Public Instruction
SUBJECT: **Identified Student Percentage Data Collection and Annual Notification of LEA CEP Eligibility**

The U.S. Department of Agriculture (USDA) Community Eligibility Provision (CEP) provides for eligible local education agencies (LEAs) and participating schools with high percentages of low-income households to offer school breakfast and lunch meals at no charge to all students without collecting meal applications. The purpose of this memorandum is to meet the following CEP regulatory requirements:

- First, to collect school-level data as of April 1, 2022, on the number of **free** directly certified and categorically **free** eligible students and the school membership to establish the ISP. This data is required for all schools.
- Second, to notify LEAs currently participating in CEP of the four-year cycle that will expire on June 30, 2022. See **Attachment B** to this memorandum. LEAs with an expiring cycle must submit a new application to continue CEP participation in school year (SY) 2022-2023.
- Third, for the Virginia Department of Education to provide the required annual notification to LEAs of their eligibility or near eligibility to participate in divisionwide CEP based on data reported previously by LEAs. See **Attachment B** to this memorandum. This eligibility is a projection based on a calculated ISP. The actual

reported April 1, 2022, ISP data will determine divisionwide eligibility and be used in the CEP application for SY 2022-2023.

Identified Students and the ISP

Identified students are defined as students approved for **free** meals through means other than household meal applications. This includes students who are directly certified for free meals based on 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 students approved as **categorically free** eligible without an application through the LEA liaison because of their status as homeless, runaway, migrant, or foster care placement, and certain eligible Head Start students.

Identified students do not include students who are categorically eligible based on a meal application, such as SNAP or TANF case numbers. Students who are approved free by income on an **application** are also **not included in the ISP**. Students approved as **reduced-price eligible** by any means, directly certified or application, are not included in the ISP data and **must be excluded from the report**.

All LEAs and School Food Authorities (SFAs) must submit the April 1, 2022, number of identified students and the membership for each school in the School Nutrition Program Web-based software (SNPWeb). SFAs must report data for all schools that are currently participating in the National School Lunch Program (NSLP) and those that would be participating in the NSLP if not for waivers to use other programs, such as the Seamless Summer Option, during pandemic operation. The identified student data must reflect all students who were determined **free** eligible by direct certification or categorically **free** eligible without application as of April 1, 2022. **The deadline to submit the mandatory data in SNPWeb is Thursday, April 15, 2022, at 5:00 p.m.**

Reporting ISP Data and Reporting for Currently Participating CEP Schools

Detailed instructions for the SNPWeb CEP ISP Site Eligibility Report are in **Attachment A** to this memorandum. An e-learning module for the April 1 ISP report is available on the [VDOE-SNP Rise.com e-learning portal](#). If you are not registered as a learner in Rise, visit the [VDOE-](#)

[SNP Training and Resources webpage](#) for information on how to enroll. SFA staff should view the e-learning module prior to preparing data for the ISP report.

SFAs must report data for all schools in the SFA, including those already participating in CEP and those not eligible for CEP. SFAs with one or more schools operating under CEP must report the current April 1 number of identified students and enrollment for each school, regardless of validated base year data. If the reported ISP for a CEP participating school, group, or SFA has increased since the base year, the SFA will be required to submit a new CEP application for SY 2022-2023 and begin a new cycle. If the reported ISP for a CEP participating school, group, or SFA has decreased, the previously validated ISP and cycle will continue to be in effect in SY 2022-2023 unless the four-year cycle is set to expire.

If a currently participating CEP school, or a school applying to participate for SY 2022-2023, will have a change in attendance boundaries that will reconfigure its student population in the new year, contact the Virginia Department of Education, Office of School Nutrition Programs (VDOE-SNP) specialist assigned to the SFA for guidance.

Annual LEA Notification of Divisionwide CEP Eligibility and Expiring CEP Cycles

The VDOE-SNP is required to provide notification annually, by April 15, 2022, to all LEAs with CEP eligibility that meets one of the criteria below. The VDOE-SNP determined the estimated ISP for LEAs eligible, or near eligible, to participate in divisionwide CEP in SY 2022-2023 using data previously reported. **Attachment B** includes notification of:

- LEAs potentially eligible for divisionwide CEP with a calculated ISP of 40 percent or more;
- LEAs near eligible for divisionwide CEP with a calculated ISP between 30-40 percent;
- LEAs currently participating in CEP for any schools, 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 a new CEP cycle in SY 2022-2023.

CEP Implementation, Guidance, and Application

The simplified procedures of CEP help both households and schools. CEP allows schools to continue providing meals at no cost to all enrolled students, eliminates the need for meal applications, and eliminates student meal debt. LEAs that meet the CEP eligibility threshold for a school, group of schools, or divisionwide are encouraged to evaluate CEP for the upcoming school year.

Approved CEP schools qualify to provide meals at no charge to all students. Schools, groups of schools, and SFAs with an ISP of 62.5 percent or greater will receive the free reimbursement rate for all reimbursable breakfast and lunch meals served to students. Schools, groups, and SFAs with an ISP between 62.49-40 percent will receive the free reimbursement rate for a percentage of student meals served determined by multiplying the ISP by a factor of 1.6. Meals not reimbursed at the free rate will be reimbursed at the paid rate and no student payments will be collected. For more information about CEP, the [USDA Community Eligibility Provision: Planning and Implementation Guidance Manual](#) consolidates CEP guidance and best practices.

At the beginning of May, a VDOE Superintendent's Memorandum will provide instructions on how to apply to participate in CEP for SY 2022-2023. The CEP application will be submitted in SNPWeb as part of the SY 2022-2023 SNP application packet. Supporting documentation, including proof of the ISP and the VDOE financial viability tool, will be required with the application. The **deadline** to submit the CEP application is **June 30, 2022**.

For more information

If you have questions, please contact the VDOE-SNP regional specialist assigned to your SFA, or Lynne A. Fellin, SNP Technical Advisor to the State Director, via email at Lynne.Fellin@doe.virginia.gov or by telephone at (804) 225-2717.

JB/SCC/LAF/cc

- A. Attachment: [SNPWeb Community Eligibility Program Site Eligibility Report Checklist 2022](#) (DOCX)

- B. Attachment: [LEA Notifications of Potentially and Nearly Eligible CEP Divisionwide and Expiring CEP Four-Year Cycles](#) (XLSX)