



## Special Provisions

NSLP Training	The special provision options—Community Eligibility Provision (CEP) and Special Assistance Provision 2 (P2)—provide contracting entities (CEs) with two alternatives to the standard requirements for determining eligibility and claiming reimbursement for the National School Lunch Program (NSLP) and School Breakfast Program (SBP). Both options reduce requirements related to the following:
NSLP Policy & ARM	
NSLP Administration & Forms	
NSLP Income Eligibility Guidelines	<ul style="list-style-type: none"> <li>Accepting household applications</li> <li>Verifying household applications</li> <li>Providing notification to the public</li> <li>Submitting meal counts for reimbursement</li> </ul>
National School Lunch Program Compliance	
NSLP Reimbursement Rates	If a CE chooses to participate in one of the special provision options, all students that receive a reimbursable meal are served meals at no charge.
NSLP CFDA and FAIN Numbers	
Professional Standards	
Smart Snacks	Across Texas there are numerous sites that operate one or more of the special provision options .
<b>Special Provisions</b>	<ul style="list-style-type: none"> <li>For a list of schools operating the Community Eligibility Provision for SY 2015-2016, click <a href="#">here</a>.</li> <li>For a list of schools operating the Community Eligibility Provision for SY 2016-2017, click <a href="#">here</a>.</li> <li>For a list of schools operating the Community Eligibility Provision for SY 2017-2018, click <a href="#">here</a>.</li> <li>For a list of schools operating Provision 2 for SY 2015-2016, click <a href="#">here</a>.</li> <li>For a list of schools operating the Provision 2 for SY 2016-2017, click <a href="#">here</a>.</li> <li>For a list of schools operating the Provision 2 for SY 2017-2018, click <a href="#">here</a>.</li> </ul>
CEP Guide	
Direct Certification/Direct Verification	
Local Wellness Policies	
Outreach Materials	
NSLP Statistics	
National School Lunch Week	

### Operating the Community Eligibility Provision (CEP)

#### Application for the Community Eligibility Provision

The deadline for Local Educational Agencies to submit applications to elect the Community Eligibility Provision for School Year 2017-2018 is June 30, 2017.

#### Community Eligibility Provision Report

CEP report screen opens on March 1. CEs must submit their data by March 20 to record enrollment and eligibility data that will be used for reporting and application to operate the CE for the next school year.

#### List of Potentially Eligible CEs and Schools

A list of CEs and schools that are potentially eligible to operate CEP will be posted on this webpage by April 15 of each year.

Click [here](#) for the list of potentially eligible districts and schools.

#### Technical Assistance

Technical assistance is available by contacting your regional education service center. You may also request technical assistance via email at [NSLP-SBP.Bops@TexasAgriculture.gov](mailto:NSLP-SBP.Bops@TexasAgriculture.gov) – please include your CE ID and CE Name in your inquiry to ensure a timely response.

(877)TEX-MEAL

Click here for  
Community  
Eligibility  
brochure



Eligible and Potentially  
Eligible Texas CEP CEs and  
Sites

**Helpful Questions and Answers Regarding CEP**

**Question:** How will CEP affect Title 1 funding?

**Answer:** CEP will not impact the total amount of Title 1 funding received at the district level. However, it may impact the distribution percentages for funding received at the campus level.

**Question:** How will CEP impact School Compensatory Education (SCE) funding?

**Answer:** The Texas Education Agency will use the count of students eligible for meals reimbursed by the TDA at the free rate in the calculation of students eligible for SCE funding. As an example, if schools participating in CEP have an identified student percentage of 40%, the number of students that count towards SCE funding would be 64% of total enrollment (.40\*1.6).

**Question:** Can a district include a mix of P2 and CEP campuses?

**Answer:** Yes; however, if a district is currently utilizing group percentages for P2 sites and a portion of those sites switch to CEP sites, the district must re-establish their base year for the remaining P2 sites.

**Question:** Isn't it easier to stay on P2 since you don't have to establish new claiming percentages?

**Answer:** The unique circumstances for each CE will determine if it is easier to stay on P2 or shift to CEP. In making that determination CEs should consider the following issues. All CEs are required to report CEP data each year whether they are CEP, P2, or use standard pricing. P2 schools must also re-establish their base year or use approved data to ensure the economic situation within the community has not changed significantly every 4 years. CEs should also consider that high need schools may receive a higher amount of reimbursement under CEP than they would under P2.

**Question:** How is funding for e-rate determined?

**Answer:** Schools opting into the Community Eligibility Provision under the National School Lunch Program will use the 1.6 multiplier as is currently permitted by USDA and other federal programs. The CEP program provides a new alternative to NSLP household applications for free and reduced price meals in high poverty local educational agencies as it does not require schools participating in CEP to obtain individual income eligibility applications from each student. Instead, it derives estimates of the NSLP eligible population from existing data from other income-based programs. In order to qualify for CEP, a school, group of schools, or the entire district must have an Identified Student Percentage of 40% or more and must offer both breakfast and lunch daily. Presumably, the NSLP eligibility data that will be entered into the Form 471, Block 4 discount calculation worksheet will already contain the 1.6 multiplier. CEP schools must retain back-up calculations which may be requested during PIA and audits. **Note:** The previous FCC guidance that CEP schools must use the NSLP data from the year before they opted into CEP has been repealed.

**Question:** Are funds outside of federal funds required to operate NSLP and SBP while on CEP?

**Answer:** SFAs will be reimbursed at the free reimbursement rate for the number of identified students \* 1.6. The remaining percentage of students will be reimbursed at the paid rate. Federal reimbursement received may be used to cover all allowable costs associated with the Child Nutrition Program at the SFA. If the federal funds received are not sufficient to cover the costs at the SFA, the district must use non-federal funds to cover any remaining costs incurred.

**Question:** Are campuses that offer a half day kindergarten or half-day program that has different students attending the morning and afternoon tracks eligible to participate in CEP?

**Answer:** Yes, campuses that offer both School Breakfast Program and National School Lunch Program are eligible to participate in CEP, even if that campus includes students who are in attendance for and have access to only one meal service during their regular attendance day, i.e., breakfast for the morning track or lunch for the afternoon track as long as students are not in attendance when the other meal is served.

**Question:** Are pre-kindergarten or half-day program students included in the number of identified students for CEP?

**Answer:** Students who are enrolled in and attending a school operating CEP and who have access to at least one meal service daily may be included in the number of identified students which is used to calculate the site's identified student percentage. This includes programs for very young children such as Head Start or programs for older students such as off-campus work experience or attendance for off-campus college courses.

**Question:** Are state-funded pre-kindergarten students included in the number of identified students?

**Answer:** If the state-funded pre-kindergarten program uses income eligibility criteria which are identical to or more stringent than the federally funded Head Start program and if the eligibility certification lasts no longer than one year, students in these programs may be included in a school's number of identified students which is used to calculate the identified student percentage.

#### **Additional Resources for the Community Eligibility Program**

Below are some resources to help you determine whether CEP may be a good option for your school. Additional materials are forthcoming.

#### **USDA Resources**

- [Letter from the Secretaries of Agriculture and Education](#)
- [USDA Community Eligibility Provision Brochure](#)
- [CEP Notification and Data Requirements](#)
- [Community Eligibility Provision: Guidance and Updated Q&A](#) (Updated December 14, 2015)
- [Community Eligibility Provision Final Rule](#)
- [Community Eligibility Provision \(CEP\) Federal Reimbursement Estimator Worksheet](#)
- [CEP Guidance and Frequently Asked Questions](#) (updated 07/28/2014)
- [Title I Allocation](#)
- [Department of Education Title I Guidance -- summary for administrators of NSLP](#)
- [Texas Education Agency correspondence regarding Community Eligibility Provision and reporting for State Compensatory Education](#)
- [IDEA Part B Funding](#)

#### **TDA Resources**

- [Administrator's Reference Manual, Section 5, Special Provisions](#)
- [CEP Overview and Benefits](#) (video tutorial)
- [PEIMS Guidance](#)
- [TX-UNPS CEP Application Guidance](#) (presentation slides)
- [Community Eligibility Provision: Monthly Reimbursement Estimator Guidance for CEs](#) (video tutorial)
- [TX-UNPS Guidance for CEs](#) (presentation slides)
- [TX-UNPS Guidance for CEs](#) (demonstration video)
- [An Overview of CEP from Association for Compensatory Educators of Texas](#) (presentation slides)
- [Food Research and Action Center \(FRAC\) CEP Resources Webpage](#)

Provision 2



Districts wishing to participate in Special Assistance Provision 2, another alternative to standard methods of counting and claiming meals for reimbursement used in the National School Lunch Program (NSLP) and the School Breakfast Program (SBP), may continue to do so. Information on Provision 2 may be found in the [Administrator's Reference Manual, Section 5, Special Provisions](#).

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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](mailto:program.intake@usda.gov).

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