



Food and
Nutrition
Service

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DATE: February 6, 2024

MEMO CODE: SP 11-2024

SUBJECT: Community Eligibility Provision: State Agency Procedures to Ensure Identified Student Percentage Accuracy

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

Purpose

The purpose of this memorandum is to update prior guidance to reflect changes made to the Community Eligibility Provision (CEP) due to the Food and Nutrition Service's (FNS) Final Rule, [Child Nutrition Programs: Community Eligibility Provision – Increasing Options for Schools](#) (FR 65778), effective on October 26, 2023. This final rule amended CEP regulations by lowering the minimum identified student percentage (ISP) to elect CEP from 40 percent to 25 percent.

This memorandum rescinds and replaces SP 15-2016, *Community Eligibility Provision: State Agency Procedures to Ensure Identified Student Percentage Accuracy*, dated November 30, 2015. Updates made to this memorandum are limited to revising references to the minimum ISP; no other substantive changes have been made.

This memorandum provides the steps State agencies must take to determine the accuracy of a local educational agency's (LEA) ISP(s) at the time CEP is elected in order to prevent incorrect ISP calculations. This guidance is intended to avoid situations in which a State agency finds that an ISP is incorrect during an Administrative Review and has to assess fiscal action and retroactively adjust claims for reimbursement.

State Agency Review of Election Documentation

CEP enables participating schools in high poverty areas to offer meals at no cost to all enrolled students without collecting household applications. Schools, groups of schools, or entire school districts participating in CEP receive Federal reimbursement for meals based on claiming percentages derived from ISPs.

As part of the CEP election process, State agencies are responsible for ensuring that LEAs seeking to adopt CEP meet all participation requirements. This process includes confirming that the ISP(s) to be employed by the LEA as the basis for reimbursement claims are accurately calculated.

When an LEA elects CEP, a State agency must, at a minimum, review documentation to evaluate whether or not the school, group of schools, or LEA:

- Meets the minimum ISP of at least 25 percent;
- Participates (or plans to participate) in both the National School Lunch Program and School Breakfast Program; and
- Has a record of administering the Programs in accordance with Program regulations (as indicated by the most recent Administrative Review).

Electing LEA is an LEA-level decision. If the State agency determines that the LEA has met the above requirements, the LEA may elect CEP (7 CFR 245.9(f)(4)(ii)).

Determining Accuracy of the ISP

To determine if an ISP is accurate, State agencies must examine documentation submitted by the LEA to substantiate the number of identified students (numerator of the ISP), and the number of enrolled students (denominator of ISP). Such documentation includes Point of Service or Student Information System reports, direct certification lists and/or other lists certifying that students are categorically eligible for free school meals, such as lists of students who are designated as homeless or migrant. Using Point of Service or Student Information System reports should provide the most accurate and timely information. If documentation is submitted for the entire LEA or multiple schools that will operate as a single group, the review of documentation is conducted for the entire district or group that makes up the ISP.

For ISP reviews, State agencies have the option to use the guidance in this memo or to follow the process provided in the Administrative Review Manual (Section IX, Special Provision Options, Community Eligibility Provision Module, On-Site Review Activities, step 2).

For State agencies verifying ISPs outside of the Administrative Review process, FNS has developed two optional worksheets, attached to this memorandum, to help State agencies and LEAs ensure an ISP is accurate: (1) a checklist to help State agencies review source documentation, and (2) an ISP calculation worksheet that LEAs can use to calculate the ISP and submit to State agencies with appropriate documentation.

Provided that all Certification and Benefit Issuance Review requirements outlined in the Administrative Review Manual are met, the results of the ISP documentation review may be counted toward that portion of the following Administrative Review. ISP reviews may only be relied upon during an Administrative Review if the same ISP data originally reviewed is still being used by the LEA as the basis for claiming.

State agencies must still complete the other components of the Administrative Review process, including verifying that claiming percentages are properly applied to claims from the review period and month of the on-site review.

LEAs/schools must maintain documentation used to develop the ISP for the entire time while operating under CEP, and for three years after submission of the final Claim for Reimbursement for the last fiscal year of CEP. Source documentation includes direct certification lists and/or other lists certifying that students are categorically eligible for free school meals, such as lists of students who are designated as homeless or migrant.

CEP Resources

FNS strives to ensure that all eligible LEAs have the resources necessary to make informed decisions about CEP participation. In addition to the attached worksheets, the CEP Estimator tool is designed to help LEAs assess financial viability. Careful financial assessment combined with a thorough review of ISP documentation when an LEA seeks to elect CEP or update its ISP(s) mitigates the risk of future administrative findings and/or fiscal action if a problem is discovered during a later Administrative Review or Management Evaluation.

FNS further encourages LEAs considering CEP to review the resources available on the CEP Resource Center website ([Community Eligibility Provision Resource Center | Food and Nutrition Service \(usda.gov\)](https://www.fns.usda.gov/resource-center/cep)).

State agencies are reminded to distribute this memorandum and attachments to Program operators immediately. LEAs should direct any questions concerning this guidance to their State agency. State agencies with questions should contact the appropriate FNS Regional Office.

Heather
Hopwood

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Heather Hopwood
Acting Director
School Meals Policy Division
Child Nutrition Programs

Worksheet for LEAs:

Calculating the Identified Student Percentage

An accurate Identified Student Percentage (ISP) is crucial to ensuring local education agencies (LEAs) operating the Community Eligibility Provision (CEP) receive the appropriate Federal reimbursement rate for their School Meal Programs. This requires good reporting practices, both from LEAs to the State agency, and from the State agency to USDA's Food and Nutrition Service. State agencies can share this resource, and the attached reporting form, with LEAs to ensure correct and consistent ISP reporting among all CEP participants.

What is the ISP?

The ISP is the proportion of “identified students,” out of total enrolled students, who are directly certified for free School Meals through means other than a household application, and who are not subject to verification. **The ISP is different from the free and reduced-price percentage.**

To determine the ISP, using data as of April 1, first divide the number of “identified students” by the number of “enrolled students” For purposes of calculating the ISP, “enrolled students” are students enrolled in and attending CEP schools who have access to at least one meal service (breakfast or lunch) during the school day. Once the numbers of “identified” and “enrolled” students have been determined, multiply the ratio of identified to enrolled students by 100 to calculate the correct percentage:

$$\frac{\text{Identified Students}}{\text{Enrolled Students}} \times 100 = \text{Identified Student Percentage}$$

The ISP and the Claiming Percentage

The ISP is multiplied by a factor of 1.6 to determine the total percentage of meals at the school or district that will be reimbursed at the Federal “free” rate.

The remaining percentage of meals, equaling up to 100 percent, is reimbursed at the Federal “paid” rate. LEAs then apply the claiming percentages to the total number of lunches and the total number of breakfasts served to determine the number of meals claimed at the Federal free and paid rates.

Source Documentation Review

The State agency certification documentation review must include obtaining the reports, lists or counts of all identified and enrolled students used to derive the ISP (7 CFR 245.9(f)(4)(ii)).

When submitting the form included on the following pages, LEAs should include source documentation confirming the identified student numbers for schools, or groups of schools, electing CEP. Source documentation may include Point of Service or Student Information System reports, direct certification lists, lists of homeless students, lists of migrant students, etc., and should also include confirmation of total enrollment numbers. Approved source documentation options are included on the following pages.

Additional Information

To be eligible to participate in CEP, a school or district must have an ISP of at least 25 percent, without rounding (e.g., an ISP of 24.98 does not meet the threshold). The 25 percent ISP may be determined by an individual school, group of schools or an entire school district. This allows some schools with an ISP below 25 percent to participate as long as the group ISP is at least 25 percent.

The form should be filled out as follows:

- **Individual School:** Include identified student numbers and source documentation only for the participating school. The “enrolled student” number should only include students enrolled at the participating school.
- **Group of Schools:** Include identified student numbers and source documentation for all schools included in the group. The “enrolled student” number should be the sum of the number of students enrolled at all schools included in the group.
- **District-Wide:** Include identified student numbers and source documentation for all schools in the district. The “enrolled student” number should be the sum of the number of students at each school in the district.

The ISP Calculation Worksheet, included on the following pages, includes step-by-step instructions LEAs may use to ensure consistent and accurate reporting.

ISP Calculation Worksheet for LEAs

STEP 1: Calculate the Number of Identified Students

Identified Student Status	Required Source Documentation <i>*Attach when submitting this form.*</i>	# of Students
<i>Supplemental Nutrition Assistance Program (SNAP) recipient</i>	<p>Documentation including:</p> <ul style="list-style-type: none"> • Names of children (or any household member) currently certified to receive SNAP benefits; • Statement certifying that the child is a member of a household where someone receives SNAP benefits; • At least one form of identifying information matching each SNAP-eligible child with a child attending a particular school; and • The date. 	
<i>Temporary Assistance for Needy Families (TANF) recipient</i>	<p>Documentation including:</p> <ul style="list-style-type: none"> • Names of children (or any household member) currently certified to receive TANF benefits; • Statement certifying that each child is a member of a household where someone receives TANF benefits; • At least one form of identifying information matching each TANF-eligible child with a child attending a particular school; and • The date. 	
<i>Food Distribution Program on Indian Reservations (FDPIR) recipient</i>	<p>Documentation including:</p> <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; • At least 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 for non-automated local-level data sharing. 	
<i>Head Start or Early Head Start participant</i>	<p>Documentation may include:</p> <ul style="list-style-type: none"> • A statement of a child's enrollment in Head Start or State funded pre-kindergarten; or • A list of children enrolled in Head Start or State funded pre-kindergarten. 	
<i>Migrant child</i>	<p>Documentation may include:</p> <ul style="list-style-type: none"> • A dated list with each child's name and the signature of the Migrant Education Program (MEP) official or local educational liaison; or • A letter from an MEP official or local educational liaison confirming that a child currently meets the definition of migrant for non-automated local-level data sharing. 	

<i>Runaway child</i>	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 official. 	
<i>Homeless child</i>	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. <p style="text-align: center;">OR</p> 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. 	
<i>Foster child certified through means other than an application</i>	Documentation may include: <ul style="list-style-type: none"> • An electronic match directly indicating the status of the child as a foster child without further application; • A letter from the State or local welfare agency or court confirming the child's status as a foster child; • Documents from the welfare agency or court stating that the courts have taken legal custody of a child who has been placed in the foster care system; or • A list of children in foster care from the welfare agency or court. 	
<i>Non-applicant children certified through means other than an application</i>	When exercising this option, the school official must complete an application on behalf of the child based on the best household size and income information or Other Source Categorical Eligibility status known to the official.	
<i>Medicaid participants</i>	Only if LEA is participating in Medicaid Direct Certification pilot and participants are determined as free status via Medicaid participation.	

TOTAL NUMBER OF IDENTIFIED STUDENTS:

STEP 2: Calculate the ISP

Use this equation:

$$\frac{\text{Identified Students}}{\text{Enrolled Students}} \times 100 = \text{Identified Student Percentage}$$

Calculate here:

$$\times 100 =$$

Carry the calculation of the identified students divided by enrolled students to four decimal places using standard rounding (four or less, round down; five or more, round up). Then, multiply the result by 100 to calculate the ISP to two decimal places. The ISP **cannot be rounded to fewer than two decimal places. When determining the ISP, LEAs cannot round up.**

STEP 3: Calculate the Claiming Percentages

- *Free* Claiming Percentage:

Use this equation:

$$\text{Identified Student Percentage} \times 1.6 = \text{FREE Claiming Percentage}$$

Calculate here:

$$\times 1.6 =$$

Carry the calculation to a minimum of **two** decimal places using standard rounding; numbers five and above round up to the next higher number, numbers four and below round down (e.g., 86.155% = 86.16%, 86.134% = 86.13%). The percentage rounded to two decimal places is the percentage of meals that will be reimbursed at the Federal “free” rate. The remaining percentage of meals, equaling up to 100 percent, is reimbursed at the Federal “paid” rate. Additional information on rounding is available in *SP 09-2024: Community Eligibility Provision: Guidance and Updated Q&As*.

- *Paid* Claiming Percentage:

Use this equation:

$$100 \text{ percent} - \text{Free Claiming Percentage} = \text{PAID Claiming Percentage}$$

Calculate here:

$$100 \text{ percent} -$$

$$=$$

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STEP 4: Submit the Data

When finished, submit the data to the appropriate State agency. State agency contact information may be found at: <http://www.fns.usda.gov/school-meals/school-meals-contacts>.

State Agency Checklist for Checking Identified Student Percentage Accuracy

A State agency should follow the steps below to determine if a Local Educational Agency's (LEA's) Identified Student Percentage (ISP) is accurate when the LEA elects the Community Eligibility Provision (CEP).

STEP 1: *Did the LEA submit supporting documentation to substantiate all identified students (numerator of ISP),*

Categorical Status	Related Documentation	Received <input checked="" type="checkbox"/>
<i>Supplemental Nutrition Assistance Program (SNAP)</i>	<ul style="list-style-type: none"> Names of children (or any household member) currently certified to receive SNAP benefits; Statement certifying that the child is a member of a household where someone receives SNAP benefits; At least one form of identifying information matching each SNAP-eligible child with a child attending a particular school; and The date. 	<input type="checkbox"/>
<i>Temporary Assistance for Needy Families (TANF)</i>	<ul style="list-style-type: none"> Names of children (or any household member) currently certified to receive TANF benefits; Statement certifying that each child is a member of a household where someone receives TANF benefits; At least one form of identifying information matching each TANF-eligible child with a child attending a particular school; and The date. 	<input type="checkbox"/>
<i>Food Distribution Program on Indian Reservations (FDPIR)</i>	<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; At least 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 for non-automated local-level data sharing. 	<input type="checkbox"/>
<i>Runaway child</i>	<p>Documentation verifying the child participates in a program under the Runaway and Homeless Youth Act, including:</p> <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 official . 	<input type="checkbox"/>

State Agency Checklist for Checking Identified Student Percentage Accuracy

A State agency should follow the steps below to determine if a Local Educational Agency's (LEA's) Identified Student Percentage (ISP) is accurate when the LEA elects the Community Eligibility Provision (CEP).

STEP 1: *Did the LEA submit supporting documentation to substantiate all identified students (numerator of ISP), including students participating in the assistance programs listed below?*

Categorical Status	Related Documentation	Received <input checked="" type="checkbox"/>
<i>Head Start or Early Head Start participant</i>	<ul style="list-style-type: none"> • A statement of a child's enrollment in Head Start or State funded pre-kindergarten; or • A list of children enrolled in Head Start or State funded pre-kindergarten. 	<input type="checkbox"/>
<i>Migrant child</i>	<ul style="list-style-type: none"> • A dated list with each child's name and the signature of the Migrant Education Program (MEP) official or local educational liaison; or • A letter from an MEP official or local educational liaison confirming that a child currently meets the definition of migrant for non-automated local-level data sharing. 	<input type="checkbox"/>
<i>Homeless child</i>	<p>Documentation verifying the child participates in a program under the Runaway and Homeless Youth Act, including:</p> <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. <p>OR</p> <p>Documentation from the local education agency homeless liaison or an official of the homeless shelter where the child resides, including:</p> <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. 	<input type="checkbox"/>
<i>Foster child certified through means other than an application</i>	<ul style="list-style-type: none"> • An electronic match directly indicating the status of the child as a foster child without further application; • A letter from the State or local welfare agency or court confirming the child's status as a foster child; • Documents from the welfare agency or court stating that the courts have taken legal custody of a child who has been placed in the foster care system; or • A list of children in foster care from the welfare agency or court. 	<input type="checkbox"/>

State Agency Checklist for Checking Identified Student Percentage Accuracy

A State agency should follow the steps below to determine if a Local Educational Agency's (LEA's) Identified Student Percentage (ISP) is accurate when the LEA elects the Community Eligibility Provision (CEP).

		<input checked="" type="checkbox"/>
<i>Non-applicant children certified through means other than an application</i>	<ul style="list-style-type: none"> When exercising this option, the school official must complete an application on behalf of the child based on the best household size and income information or Other Source Categorical Eligibility status known to the official. 	<input type="checkbox"/>
<i>Medicaid participants</i>	<ul style="list-style-type: none"> Only if LEA is participating in Medicaid Direct Certification pilot and participants are determined as free status via Medicaid participation. 	<input type="checkbox"/>

<p>STEP 2: <i>Did the LEA submit supporting documentation to substantiate the number of enrolled students (the denominator of ISP)?</i></p>	Yes / No <input type="checkbox"/> <input type="checkbox"/>
<p>STEP 3: <i>Did the LEA accurately calculate the ISP?</i></p> <p>Use this equation:</p> $\frac{\text{Identified Students}}{\text{Enrolled Students}} \times 100 = \text{Identified Student Percentage}$ <p>Carry the calculation of the identified students divided by enrolled students to four decimal places using standard rounding (four or less, round down; five or more, round up). Then, multiply the result by 100 to calculate the ISP to two decimal places. The ISP cannot be rounded to fewer than two decimal places. When determining the ISP, LEAs cannot round up.</p>	Yes / No <input type="checkbox"/> <input type="checkbox"/>

STEP 4: Did the LEA accurately calculate the free claiming percentage?

Use this equation:

Identified Student Percentage \times 1.6 = **FREE** Claiming Percentage

Yes / No

Carry the calculation to a minimum of **two** decimal places using standard rounding; numbers five and above round up to the next higher number, numbers four and below round down (e.g., 86.155% = 86.16%, 86.134% = 86.13%). The percentage rounded to one decimal place is the percentage of meals that will be reimbursed at the Federal “free” rate. The remaining percentage of meals, equaling up to 100 percent, is reimbursed at the Federal “paid” rate. (Step 5)

STEP 5: Did the LEA accurately calculate the paid claiming percentage?

Use this equation:

100 percent – Free Claiming Percentage = **PAID** Claiming Percentage

Yes / No

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