




STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION



**TO:** Sponsors of the National School Lunch Program

**FROM:** Shannon K. Yearwood, Bureau Chief   
Bureau of Child Nutrition Programs

**DATE:** November 2, 2023

**SUBJECT: Operational Memorandum No. 04-24**  
**Community Eligibility Provision: Implementing the New Minimum Identified Student Percentage**

The Community Eligibility Provision (CEP) provides an alternative approach for offering school meals in local educational agencies (LEA) and schools in low-income areas, instead of collecting individual household applications for free and reduced-price school meals. The CEP allows eligible schools to offer nutritious school meals at no cost to all students, regardless of eligibility for free, reduced-price, or paid meals, through the National School Lunch Program (NSLP) and School Breakfast Program (SBP). To learn more about CEP, please visit the Connecticut State Department of Education's (CSDE) [CEP](#) webpage.

Effective October 26, 2023, the U.S. Department of Agriculture (USDA) Food and Nutrition Service's (FNS) Final Rule, *Child Nutrition Programs: Community Eligibility Provision – Increasing Options for Schools*, lowered the minimum identified student percentage (ISP) for CEP school eligibility from 40 percent to 25 percent.

**Note: The final rule does not change the 1.6 multiplier for establishing CEP claiming percentages.**

Since the final rule was effective after the June 30, 2023, CEP election deadline for school year (SY) 2023-24, the CSDE requested a waiver from USDA to allow school food authorities (SFA) to take advantage of the new 25% ISP eligibility threshold during SY 2023-24. USDA granted the CSDE's waiver which will allow the CSDE to do the following:

- extend the CEP election date statewide for LEAs to November 30, 2023; and,
- allow LEAs electing the CEP during SY 2023-24 that do not have data as of April 3, 2023, to calculate their ISP using data drawn from November 1, 2023.

To assist with the SFA's decision, a [list of schools that meet the 25 percent threshold](#) that are not currently participating in the CEP through a district grouping of schools for SY 2023-24 is now available on the CSDE's CEP webpage. The CSDE compiled this list from the school-level CEP

eligibility data that SFAs submitted to the CSDE in April 2023 as part of [Operational Memorandum No. 09-23](#), *CEP Annual Notification Requirement for all LEAs Participating in the NSLP and/or the SBP*.

### **Considerations for Participation in CEP**

1. LEAs should use the [CEP Monthly Federal Reimbursement Calculator](#) for SY 2023-24 to help determine if participating in the CEP will be financially viable for the LEA (i.e., generate the same, more, or less federal revenue).
2. If the total amount of federal reimbursement for meals served under CEP does not cover the LEA's costs, LEAs may use non-federal funding and specific federal funding sources to cover operational costs.

### **Eligible Sources of Funding that May be Used to Cover CEP Operational Costs:**

#### **Non-federal Funding**

Non-federal funding sources include any funds other than federal reimbursement available to the nonprofit school food service account. Examples of non-federal sources include, but are not limited to:

- LEA general funds;
- profits from a la carte sales;
- cash donations; and,
- in-kind contributions from outside sources, such as volunteer services to reduce operating costs.

#### **Federal Funding**

- excess funds from the Child and Adult Care Food Program (CACFP); and,
- excess funds from the Summer Food Service Program (SFSP).

#### **Ineligible Sources of Funding for Covering Operational Costs**

- excess federal funds from the nonprofit school food service account (not including CACFP and SFSP excess funds);
- School Meals Assistance Revenue for Transition (SMART) funds; and
- School Transition Assistance for Breakfast and Lunch Expenses (STABLE) funds.

#### **CEP Notification Requirements**

LEAs and schools must notify the CSDE no later than **November 30, 2023**, if they intend to formally apply under this waiver for the CEP for SY 2023-24 by submitting the [CEP midyear opt-in survey for SY 2023-24](#). Note: completion of the survey does not serve as authorization to begin operating CEP. Following receipt of the survey, a representative of the CSDE will contact the LEA to assist with the application process. Please note that the application deadline for formal application for CEP participation under this waiver for SY 2023-24 is **December 29, 2023**.

Connecticut LEAs electing the CEP mid-year may begin using their CEP validated claiming percentage the month after they have been approved to implement the CEP, once they meet all requirements outlined in 7 CFR 245.9(f)(3). Validated claiming percentages cannot be applied retroactively. Additionally, electing CEP in SY 2023-24 will automatically discontinue the LEA's eligibility to receive STABLE funds once CEP starts.

For questions or additional information, please contact Susan Alston at [susan.alston@ct.gov](mailto:susan.alston@ct.gov).

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This is a numbered Connecticut State Department of Education (CSDE) operational memorandum that contains important program information. Please read carefully and retain for future reference. All CSDE operational memoranda are posted on the CSDE's [Operational Memoranda for the School Child Nutrition Programs](#) webpage.