



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

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Alexandria, VA  
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DATE: June 05, 2015

MEMO CODE: SP 38-2015

SUBJECT: Mid-Year Elections under the Community Eligibility Provision in School Year 2015-16

TO: Regional Directors  
Special Nutrition Programs  
All Regions

State Directors  
Child Nutrition Programs  
All States

One important goal of the Healthy, Hunger-Free Kids Act of 2010 (HHFKA) is to ensure that children have access to the nutrition they need to grow into healthy adults. The Community Eligibility Provision (CEP), as authorized by amendments made in HHFKA to Section 11(a)(1)(F), of the Richard B. Russell National School Lunch Act (NSLA), 42 USC 1759a(a)(1)(F), is a powerful tool to ensure that children in low income communities have access to healthy school meals. CEP allows participating schools to offer healthy free lunches and breakfasts to all students without requiring their families to complete individual applications.

Policy memo SP 25-2015, *Extension of the Deadline for Local Educational Agencies to Elect the Community Eligibility Provision for School Year 2015-16* extended the deadline by which Local Educational Agencies (LEAs) may elect CEP from June 30<sup>th</sup>, 2015 to August 31<sup>st</sup>, 2015. This extension was an important continuation of similar flexibility offered by FNS during school year (SY) 2014-15, the first year in which CEP was implemented nationwide. The SY 2014-15 extension facilitated a 22% overall increase in CEP elections and expanded access to nutritious meals in many high-need schools.

In addition to the above flexibility, during SY 2014-15 FNS also permitted and encouraged State agencies to continue to allow LEAs to elect CEP beyond the extended August 31<sup>st</sup> deadline. The Food and Nutrition Service (FNS) offered this flexibility to ensure that State and local agencies requiring more time to consider their CEP elections would still be able to take immediate advantage of CEP's numerous benefits, rather than wait until the following school year to provide free meals to their students.

This memorandum clarifies that State agencies will similarly be permitted to facilitate CEP implementation beyond the extended deadline of August 31<sup>st</sup>, 2015, and throughout the remainder of SY 2015-16. The benefits of allowing for mid-year elections during SY 2014-15 were broadly reflected in the strong, sustained interest expressed by LEAs across the country towards electing CEP following the start of their academic years. As a result of

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offering this flexibility, numerous LEAs, including multiple large urban school districts, successfully transitioned to serving their students nutritious meals under CEP mid-year. This notable success demonstrates the continued value to be provided by allowing State agencies to continue facilitating CEP elections throughout SY 2015-16.

FNS is committed to serving as a resource to State agencies as LEAs and schools consider electing CEP. We will continue to support States and LEAs by providing timely guidance, technical assistance, and other resources, including webinars, panel discussions, and outreach sessions to facilitate best practice sharing and address barriers to implementation. FNS further encourages LEAs considering CEP to review resources available on the FNS website (<http://www.fns.usda.gov/school-meals/community-eligibility-provision>), including the Department of Education Title I Guidance, Questions and Answer guidance, and an Estimator tool designed to help LEAs with grouping and reimbursement estimates.

State agencies should distribute this memorandum to their LEAs as soon as possible. State agencies may direct any questions concerning this guidance to the appropriate FNS Regional Office. We appreciate your continued collaboration and hard work as we strive to achieve our common goal of increasing access to healthy school meals for our Nation's children.

A handwritten signature in black ink, appearing to read "Angela M. Kline". The signature is written in a cursive style with a large initial "A" and "K".

Angela M. Kline  
Director  
Policy & Program Development Division  
Child Nutrition Programs