



Food and
Nutrition
Service

Park Office
Center

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DATE: March 10, 2016

MEMO CODE: SP 30-2016

SUBJECT: Extension of the Deadline for Local Educational Agencies to Elect the Community Eligibility Provision for School Year 2016-17

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. Now in its second year of nationwide implementation, CEP has continued to steadily expand as additional schools and districts learn of CEP's many potential benefits. As of September 2015, more than 17,000 schools in about 3,000 school districts were offering nutritious meals to approximately 8.1 million students through CEP.

Previous policy memoranda extended the deadline by which local educational agencies (LEAs) may elect CEP from June 30, 2015, to August 31, 2015, and also provided State agencies flexibility to continue allowing CEP elections throughout the remainder of school year (SY) 2015-16. These extensions represented an important continuation of similar flexibility offered by FNS during SY 2014-15. See SP 25-2015, *Extension of the Deadline for Local Educational Agencies to Elect the Community Eligibility Provision for School Year 2015-16*, published March 3, 2015, and SP 38-2015, *Mid-Year Elections under the Community Eligibility Provision in School Year 2015-16* published June 5, 2015.

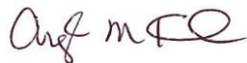
This memorandum extends the CEP election deadline from June 30, 2016, to August 31, 2016, and clarifies that State agencies will be permitted to facilitate CEP implementation beyond the extended deadline of August 31, 2016, throughout the remainder of SY 2016-17.

The Food and Nutrition Service (FNS) is continuing to offer this flexibility to ensure that State and local agencies requiring more time to consider their CEP elections will 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. The extended deadline may also provide additional time for State agencies to review the identified student percentage data submitted with new CEP elections per guidance detailed in SP 15-2016, *Community Eligibility Provision: State Agency Procedures to Ensure Identified Student Percentage Accuracy*, published November 30, 2015.

The benefits of extending the election deadline as well as allowing for mid-year elections during SY 2014-15 and SY 2015-16 were broadly reflected in the strong, sustained interest expressed by LEAs across the country towards electing CEP shortly before or following the start of their academic years. In SY 2014-15, the deadline extension to August 31 resulted in a 22 percent increase in new CEP elections, and mid-year flexibility allowed an additional 112 LEAs, representing 414 schools and nearly 350,000 students, to successfully transition to serving students nutritious meals under CEP during their academic year. In SY 2015-16, numerous LEAs, including large urban school districts, have continued to take advantage of these flexibilities. This notable success demonstrates the continued value to be provided by allowing State agencies to continue facilitating CEP elections throughout SY 2016-17.

FNS is committed to serving as a resource as LEAs and schools consider electing CEP by continuing to provide timely guidance and technical assistance. Additional resources are available on the FNS website at <http://www.fns.usda.gov/school-meals/community-eligibility-provision>, including the newly released *Community Eligibility Provision: Planning and Implementation Guidance*, which consolidates existing policy releases and details best practices for CEP implementation.

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



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