

# OSPI School Meal Programs Reference Sheet

## Community Eligibility Provision—Washington Requirements

The Washington State legislature passed House Bill 1878 during the 2022 legislative session. This new legislation builds on the Hunger-Free Schools Act of 2020. The requirements of this new state law became effective starting the 2022–23 school year. The legislation amended RCW 28A.235.300.

### CEP Requirement

Beginning in the 2022–23 School Year, certain Public Schools will be required to operate the USDA Community Eligibility Provision (CEP).

- ✓ Schools that have an Identified Student Percentage (ISP) of 40% or greater must operate CEP for the four-year CEP cycle.
- ✓ The ISP is calculated as of April 1 each year and is the percentage of Identified Students (students directly certified as eligible for free school meals) divided by the total enrollment of students.
- ✓ Schools that provide meals to all students at no cost through an arrangement with a local entity are exempt from this requirement.

### Learning Assistance Program (LAP) Modifications

- ✓ The Hunger-Free Schools Act also modified the way that Learning Assistance Program funding is calculated for CEP schools and districts. [RCW 28A.150.260 \(10\)\(a\)](#)
- ✓ Nothing prevents a school or district from increasing their FRP while participating in CEP.
- ✓ **LAP Base Hold Harmless – District Allocation**
  - Districts are eligible for this alternative calculation if they have at least one school operating CEP.
  - When calculating LAP Base funding each year, OSPI will use the greater Free and Reduced-Price Meal Eligibility Status or Low Income (FRPL) from two data sources.
    1. The District FRPL from the previous year (standard method), or
    2. The District FRPL from the year immediately preceding the district's enrollment, in whole or in part, in CEP.



- Example:  
"District A" joined CEP in the 2022–22 School Year. For SY 2023–24 LAP funding allocation OSPI will review both the prior year data *and* data from the year before CEP adoption, SY 2021–22.

The LAP Base Allocation will be based on the *greater* of these two options:

School Year	Existing Law (Use prior year data)	New Option (Continue using pre-CEP data)
<b>SY 2022–23</b> (CEP Year 1)	Data from 2021–22 - 57.51%	Data from 2021–22 (Pre-CEP)- 57.51%
<b>SY 2023–24</b> (CEP Year 2)	Data from 2022–23 - 40.41%	Data from 2021–22 (Pre-CEP)- 57.51%
<b>SY 2024–25</b> (CEP Year 3)	Data from 2023–24 - <i>Unknown</i>	Data from 2021–22 (Pre-CEP)- 57.51%
<b>SY 2025–26</b> (CEP Year 4)	Data from 2024–25 - <i>Unknown</i>	Data from 2021–22 (Pre-CEP)- 57.51%

In this instance, OSPI will use the data from 2021–22 (57.51%) as it's greater than the 2022–23 data (40.41%). This practice of comparing and using the greater number will continue each year as long as the district operates CEP in at least one school.

**Note:** If an LEA leaves CEP entirely and then re-joins at a later date, the "year immediately preceding" refers to the year before the latest CEP adoption, not the original adoption.

#### ✓ LAP High Poverty Hold Harmless – School Allocation

- Schools that were eligible for LAP High Poverty in the year immediately before CEP maintain this eligibility as long as the school remains on CEP, even if the prior-year FRPL drops below the eligibility threshold.
- Example:  
"School A" was eligible for LAP High Poverty funding in School Year 2019–20. The following year they joined CEP. School A maintains LAP High Poverty eligibility as long as they remain on CEP, even if their underlying FRPL drops below the threshold for eligibility in the future.

#### National Board-Certified Teacher Bonus

- ✓ Teachers remain eligible for the "High Poverty" bonus if they teach at a school that met the qualifications of a "High Poverty School" in either of the two years immediately preceding the school's participation in CEP.

## State Meal Reimbursement Supplement

- ✓ Along with the passage of House Bill 1878, the legislature passed funding to supplement federal reimbursement so that all meals served in a CEP school or group of schools with overall ISP of **40% or greater** are reimbursed at the federal free rate.
- ✓ State supplemental funds do not cover individual schools or groups that operate CEP with an overall ISP less than 40%. LEAs are encouraged to review their data and determine if it's financially viable for the district to operate CEP with an ISP between 25-40%.

## Reference:

- [House Bill 1878 \(2022\)](#)
- [House Bill 2660 \(2020\)](#)
- [RCW 28A.150.260](#)
- [RCW 28A.235.290](#)
- [RCW 28A.235.300](#)
- [RCW 28A.405.415](#)

## Acronym Reference

- CEP – Community Eligibility Provision
- FRP – Free and Reduced-Price Lunch Percentage
- ISP – Identified Student Percentage
- LAP – Learning Assistance Program
- NSLP – National School Lunch Program
- OSPI – Office of Superintendent of Public Instruction
- RCW – Revised Code of Washington
- SY – School Year
- USDA – United States Department of Agriculture