



Washington Office of Superintendent of
PUBLIC INSTRUCTION

REPORT TO THE LEGISLATURE

UPDATE: Schools Implementing the Community Eligibility Provision

2025

Authorizing Legislation: **RCW 28A.235.290**

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EXECUTIVE SUMMARY

State law requires the Office of Superintendent of Public Instruction (OSPI) to annually report to the Legislature the number of schools participating in United States Department of Agriculture's (USDA) Community Eligibility Provision (CEP). The report must identify barriers to participation and make recommendations to increase participation.

The CEP allows schools with high numbers of low-income students to serve free breakfast and lunch to all students without collecting school meal applications. CEP is available to public, private, and tribal schools.

House Bill (HB) 1878, passed during the 2022 legislative session ([Revised Code of Washington \(RCW\) 28A.235.300](#)), requires all schools with an identified student percentage (ISP) of 40% or greater to participate in the Community Eligibility Provision for the four year cycle. . The law also directs school districts to group schools that are not eligible individually with eligible schools to increase the number of schools participating in CEP. As a result, over half of the total student population in the state attends a CEP school. This legislation also addressed a number of the potential drawbacks of CEP participation, including school- and district-level fiscal concerns.

BACKGROUND

The Child Nutrition Services department within the Office of Superintendent of Public Instruction (OSPI) administers multiple U.S. Department of Agriculture (USDA) Child Nutrition Programs including the Community Eligibility Provision (CEP).

USDA published a CEP Final Rule in September 2023 lowering CEP thresholds. CEP may be operated in districts or schools that have an ISP of at least 25%. A district or school's ISP is determined from the number of directly certified students. Directly certified students include students categorically eligible based on their participation in other means-tested programs such as the Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF), or a student experiencing homelessness, a student in the foster care system, or a student receiving migrant education services.

Participating districts and schools are reimbursed using their ISP multiplied by a USDA set multiplier (currently 1.6). Districts have the option to group schools together to maximize eligible schools. CEP runs on four-year cycles.

Benefits of CEP includes:

- All students may receive a healthy breakfast and lunch at no cost, ensuring students and families do not have school meal debt.
- Breakfast After the Bell is easier to implement.
- No public identification of students who do not have money to pay for meals.
- Greater possibility that federal reimbursement covers program costs.

UPDATE STATUS

As CEP participation became mandatory in all eligible schools under [RCW 28A.235.300](#), participation has grown to over half of all students in Washington State. There are 24 new CEP schools for SY 2024–25.

Table 1: CEP Participation in Washington State over the Past Six School Years

	2019–20	2020–21	2021–22	2022–23	2023–24	2024–25
Number of CEP Districts	89	102	109	202	210	222
Number of CEP Schools	319	398	488	1210	1287	1311

Source: OSPI Child Nutrition Services

Barriers to Implementation

Many of the previously reported barriers to implementation have been solved through state legislation requiring participation and providing financial support. Remaining considerations are outlined below.

Changes in Supplemental Nutrition Assistance Program (SNAP) and Medicaid eligibility may decrease the number of students that are directly certified as eligible for free school meals. The potential decrease in directly certified students may decrease the number of CEP-eligible schools.

Collection of Poverty Data

All Local Education Agencies (LEAs) operating the NSLP/SBP, including those operating CEP, are required to distribute the Child Nutrition Eligibility & Education Benefit (CNEEB) Application beginning in school year 2024-25. Prior to school year 2024-25, schools participating in CEP were not allowed to collect the federal free and reduced-price meal applications, but were still required to collect family income data for state funding mechanisms and programs that use school-specific poverty data. As a result, LEAs used an alternate method, the Family Income Survey, to collect this data. As a result of the Summer EBT Program Final Rule, USDA allows schools operating CEP to use a free and reduced-price meal application. The CNEEB Application merges the free and reduced-price meal application and the family income survey. Collecting and processing the CNEEB at CEP schools cannot be paid for with nutrition services funding and must be completed by another program in the district or performed by food service staff and then charged to a non-food service budget.

Limited Facilities

Breakfast and lunch participation regularly increase when a school implements CEP, as both meals are free for all students. While this growth in participation is positive, schools with limited facilities may struggle with the increase in meals being prepared, served, and eaten. Facility capabilities should be assessed when considering program implementation.

Recommendations to Overcome Barriers

Collection of Poverty Data – Plan Early

OSPI has created resources to assist districts and schools with distributing, collecting, and processing the CNEEB Applications to ensure accurate funding levels. With proper planning and engagement of all stakeholders, districts can successfully collect CNEEB Applications. Districts can also look at online applications to help improve collection rates.

Limited Facilities

There are a number of grants available to school districts to expand or improve food service facilities. Applying for these grants or seeking out private grants can support facility improvements to meet the needs of increased participation.

CONCLUSION & NEXT STEPS

By releasing early eligibility figures and providing technical assistance throughout the CEP application process, OSPI will continue to support program expansion by implementing HB 1878 to ensure all eligible schools are operating CEP.

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