



USDA Update on CEP guidelines in WA State

On September 26, 2023 the United States Department of Agriculture (USDA) published a final rule to expand access to the Community Eligibility Provision (CEP), by lowering the minimum identified student percentage (ISP) participation threshold from 40% to 25%. The rule gives more high-need schools the option to elect CEP and offer all students healthy school meals at no cost when it is financially viable for them to do so. [CEP Final Rule Summary | Food and Nutrition Service \(usda.gov\)](#)

Implementing CEP has historically been a barrier for some school districts as the program is only fully funded when 62.5% or greater of students and their families receive State nutrition or medical benefits. In communities where the identified student percentage is lower than 62.5%, school districts are required to supplement the free meals program with outside funds to cover any unfunded portion of the program. Washington State legislature has passed several companion bills designed to remove the financial burden on school districts who opt-in to CEP. House Bill 1878 (2022) provides additional State funds to cover gaps in federal reimbursement for districts operating CEP between 40% and 62.5% ISP. [Community Eligibility Provision in Washington State \(ospi.k12.wa.us\)](#)

The Office of the Superintendent of Public Instruction (OSPI) has confirmed that H.B. 1878 does not provide additional funding for districts who elect to offer free meals at ISP percentages between 25% and 39%. Districts who opt-in to CEP programs at the lower ISP rate must provide non-program funds to cover the costs of these additional meals served.

Everett Public Schools operates CEP at 18 schools, with a combined ISP of 40.2%. This grouping of schools provides the most access to meals at no cost to our communities with the greatest need. Expanding CEP beyond this level would remove substantial funding at these sites.

House Bill 1238 (2023) provides a second pathway for providing meals to students at no cost. Beginning in SY24-25, elementary schools with Free and Reduce Meals rates of 30% or more may qualify for additional State funding outside of CEP. Everett Public Schools is closely monitoring October 2023 building data to determine if any remaining schools may qualify for universal free meals in the coming year. [House Bill 1238 Frequently Asked Questions \(ospi.k12.wa.us\)](#)