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How to Identify Low-Income Students in “Community Eligibility” Schools for Title I Purposes

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Nearly 16 million children in the United States live in households that have trouble affording enough nutritious food. The Healthy, Hunger-Free Kids Act of 2010 created a new option for schools in high-poverty areas to serve meals at no charge to all students without collecting meal applications, thereby expanding low-income students’ access to school meals and reducing schools’ administrative burdens. Known as the Community Eligibility Provision, the option was initially phased in a few states at a time and became available in all states beginning with the 2014–2015 school year, when more than 14,000 schools serving more than 6.6 million children adopted it.

In school districts that have adopted community eligibility, more children eat breakfast and lunch each day. Research shows that increasing school breakfast participation improves student achievement, diets, and behavior.² Schools report improved attendance and streamlined program operations, which frees up staff time and resources.

Community eligibility has important implications for Title I of the Elementary and Secondary Education Act, which provides federal funds to improve the achievement of the most educationally disadvantaged students. The most important implications relate to allocation of Title I funds among schools within a school district and Title I accountability policies requiring schools to monitor achievement levels for students from low-income families and take appropriate action when those levels are inadequate.

For the vast majority of public schools, approval to receive free or reduced-price school meals has been the primary, often the sole, indicator of low family income for Title I purposes. Schools or school districts that adopt community eligibility no longer collect those data, so districts must find other ways to assess students’ income levels. Fortunately, comprehensive policy guidance from the

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² See J. Michael Murphy, “Breakfast and Learning: An Updated Review,” *Current Nutrition & Food Science* 3.1 (2007): 3–36, <http://www.ingentaconnect.com/content/ben/cnf/2007/00000003/00000001/art00002>.

U.S. Department of Education gives districts a wide range of options to choose from so they can implement community eligibility with minimal interference with Title I.³

Allocating Title I Funds

School meals data have no effect on Title I grants to states or, in the vast majority of instances, on Title I grants to school districts.⁴ But they have a major impact on Title I allocations among individual schools *within* districts.

Districts generally must rank their public schools by their percentage of students from low-income families and then allocate Title I funds among their schools with the highest percentages of such students in proportion to each eligible school's number of students from low-income families.⁵ Title I allows districts to use several data sources to measure what share of a school's student body is low income for purposes of school selection and allocations. Roughly 90 percent of districts receiving Title I funds use data on which children have been approved to receive free or reduced-price school meals (sometimes alone, sometimes in combination with other data) for this purpose.⁶

The Department of Education's policy guidance lists several alternative data sources that states and districts adopting community eligibility may use in selecting Title I schools and allocating funds among them.⁷

- **The share of a school's students who are "Identified Students," multiplied by 1.6.**

Identified Students are those approved to receive free school meals without a paper application because another program has identified them as low income or especially vulnerable.⁸ To offer community eligibility, at least 40 percent of a school's enrolled students must be Identified Students. Identified Students are a subset of the students who would qualify for free or reduced-price school meals if their families completed an application. The 1.6 multiplier reflects the estimate that nationally, the total number of students receiving free or reduced-price meals is 1.6 times the number of Identified Students. Districts can use a school's Identified Student Percentage times the 1.6 multiplier as the share of the school's student body that is low

³ See *The Community Eligibility Provision and Selected Requirements Under Title I, Part A, of the Elementary and Secondary Education Act of 1965, as Amended*, U.S. Department of Education, revised March 2015. <http://www.fns.usda.gov/sites/default/files/cn/SP35-2015av2.pdf>.

⁴ School meals data do have some influence on the allocation of Title I funds among small school districts (those with total population of less than 20,000) in ten states. The Department of Education policy guidance details options, similar to those discussed above, for these states with respect to schools that do, and do not, adopt community eligibility.

⁵ Generally, to qualify for Title I funds, a school's percentage of children from low-income families must be higher than the district average or 35 percent, whichever is lower.

⁶ U.S. Department of Education, *Study of Education Resources and Federal Funding: Final Report*, 2000, p. 33, <http://files.eric.ed.gov/fulltext/ED445178.pdf>.

⁷ Regardless of the data source used, school districts retain the flexibility to provide higher per-pupil amounts for schools with higher concentrations of poverty than for schools with lower concentrations of poverty. See 34 C.F.R. § 200.78(c).

⁸ Identified Students include those whose families receive Supplemental Nutrition Assistance Program benefits, Temporary Assistance for Needy Families (TANF) cash assistance, Food Distribution Program on Indian Reservation benefits, or Medicaid in areas approved for the USDA's Medicaid Direct Certification Demonstration Projects. Students may also be enrolled without a paper application if they are in foster care or are migrant, homeless, runaway, or attending a Head Start program.

income for Title I purposes. (For schools that participate in community eligibility individually, the resulting percentage is identical to the percentage of meals for which they can claim reimbursement at the free rate from the Department of Agriculture.⁹)

This approach allows districts to continue using data (for example, the percentage of students approved for free or reduced-price school meals) that they have used in the past for non-community eligibility schools, while using a measure for community eligibility schools that is comparable, on average. However, because the 1.6 multiplier is a national estimate, it may not replicate the share of individual schools' or districts' students who are low income.

Alternatively, school districts may use the Identified Student Percentage multiplied by 1.6 as the share of the school's enrollment that is low income for *all* schools, whether or not they have adopted the Community Eligibility Provision, assuring comparable treatment of all schools.

- **The share of a school's students who are Identified Students *without* the 1.6 multiplier, if used consistently for community eligibility and non-community eligibility schools.**

This approach allows the use of the same data for both groups of schools (as would using the Identified Student Percentage multiplied by 1.6 for all schools, as noted above).¹⁰ The programs that identify students have rigorous eligibility criteria and their data have been found to be extremely accurate. Because Identified Students are a subset of students who would qualify for free or reduced-price school meals if their families completed an application, this approach is likely to lower the percentage of students considered low income at all schools. Therefore, districts that adopt this approach to identify low-income students may also wish to fund schools with lower shares of low-income students than previously. Using the Identified Student Percentage multiplied by 1.6 for all schools would not raise this issue.

- **Shares of students from low-income families as determined through state or local income surveys.**¹¹ States and districts could design and administer income surveys to meet their needs, not only for Title I but potentially also for other programs, such as state school funding formulas. However, implementing and responding to annual income surveys would reintroduce a paperwork burden for families and schools, undermining one goal of community

⁹ The resulting percentage is referred to as the "free claiming percentage" in the context of operating the school meal programs. For purposes of determining eligibility for community eligibility and the federal school meal reimbursements for community eligibility schools, districts are permitted to group schools and determine an Identified Student Percentage and free claiming percentage across the group of schools. For Title I purposes, schools participating in community eligibility as part of a group would need to calculate their *individual* Identified Student Percentage and multiply that by 1.6.

¹⁰ As the previous footnote explains, for Title I purposes, schools participating in community eligibility as part of a group would need to calculate their *individual* Identified Student Percentage.

¹¹ State or local income surveys must be accurate and must have an income threshold that is consistent with the census poverty definition or the threshold used for free or reduced-price lunches, TANF assistance, or Medicaid. States or districts conducting such a survey must not in any way indicate that the survey is required by either the departments of Education or Agriculture, school nutrition funds may not be used for such surveys, and they must clearly indicate that receipt of free school meals is not tied to the survey. Title I funds may be used to conduct an income survey, but only under very limited circumstances (for example, if the survey is not needed to meet any state or local requirements, is necessary to properly operate the Title I program in the school district, and the cost is reasonable).

eligibility. Nonetheless, some states have successfully collected income data for the families of individual students in all community eligibility schools.¹²

- **Free or reduced-price lunch data from the last school year before the school adopted community eligibility.** This option, which applies only for a school's first year of community eligibility, would ease the transition to community eligibility for participating schools and their districts.
- **Medicaid, TANF, or Census data authorized under Title I.** Title I allows districts to measure what share of a school's students is low income using data on receipt of Temporary Assistance to Needy Families (TANF) assistance, Medicaid eligibility, or Census poverty estimates (in the rare instances where the latter are available). For many years, districts have had the option to use these data sources and very few districts have chosen to rely on them. Many states' recent Medicaid expansions under health reform may, however, encourage districts to give fresh consideration to using Medicaid data.

In addition to public schools, private schools can qualify for community eligibility if their share of Identified Students is 40 percent or more. In determining the share of their Title I grant that goes to private school students, districts have essentially the same options as those described above for public schools.¹³

Title I School Accountability Policies

States participating in Title I must assess the achievement levels of public school students, report the results to parents and the public, and take action where schools' results are deemed inadequate. States must consider the achievement levels not only of students overall, but also those in several designated demographic groups — including students from low-income families. Also, districts in some states may select, on the basis of their family's low income, individual students in underperforming schools to receive supplementary educational services or priority for slots in other public schools that have not been designated as needing improvement.

Therefore, determining whether individual students are from low-income families is a critical part of meeting Title I accountability requirements. As with the allocation of Title I funds, states and districts have generally relied on approval for free or reduced-price school meals to identify students from low-income families for these accountability purposes — data that are no longer available for community eligibility schools. As with Title I funding allocation, the Department of Education's policy guidance regarding Title I accountability issues gives states and districts a range of options.

One option is to simply consider *all* students in community eligibility schools to be from low-income families for accountability purposes, including eligibility for supplemental educational services and school choice priority. This is reasonable, given these schools' high percentages of students from low-income families and the likelihood that many of the students who do not qualify

¹² For example, Kentucky and Michigan require schools implementing community eligibility to collect family income information for all individual students who are not Identified Students. In New York, districts must collect such data to qualify for state education funding.

¹³ The Department of Education's guidance details the options for providing equitable services to eligible private school students in districts adopting community eligibility.

for free or reduced-price meals have income close to the limit. But this approach may be viewed as conflicting with Title I's emphasis on identifying and reducing achievement *gaps* between students from low-income families and other students in public schools and districts. This emphasis on achievement gaps is especially great in the 43 states with Title I accountability waivers.¹⁴

Therefore, the policy guidance also allows states and districts to consider only Identified Students to be low income in districts with community eligibility schools. This approach would identify a narrower group of students, who would likely have the lowest family income levels, for Title I school accountability purposes. Alternatively, districts can use income surveys to identify low-income students.

Also, while the policy guidance doesn't explicitly provide for this, states and districts likely could use data from different sources for different Title I accountability purposes. For example, they might consider only Identified Students to be from low-income families when reporting on achievement gaps between economically disadvantaged students and other students, while considering all students as being from low-income families when determining eligibility for supplemental educational services. Using data from different sources permits districts to focus on closing achievement gaps without narrowing the number of students who qualify for supplemental services.

Conclusion

The Community Eligibility Provision offers high-poverty schools a streamlined way to offer school meals at no charge to all students so that children in high-poverty areas can get the nutrition they need to be ready to learn. Because schools offering community eligibility no longer collect meal applications, which are typically the basis for determining students' income data, districts with community eligibility schools must find other ways to assess students' income levels for Title I purposes.

Through policy guidance, the U.S. Department of Education has provided a wide range of options so that districts can implement community eligibility and fully participate in Title I. As noted in the guidance, community eligibility “represents a means to both increase access to healthy meals and reduce burden at the LEA, school, and household levels. This guidance ensures that SEAs and LEAs can take advantage of these twin purposes while still operating Title I programs effectively and efficiently.”¹⁵

¹⁴ More information on such waivers and a list of the states with approved and pending requests for waivers are available at <http://www.ed.gov/esea/flexibility>. In addition to the states with waivers, the District of Columbia, Puerto Rico, and a group of eight school districts in California have been granted accountability waivers.

¹⁵ *The Community Eligibility Provision and Selected Requirements Under Title I, Part A, of the Elementary and Secondary Education Act of 1965, as Amended*, U.S. Department of Education, Revised March 2015. <http://www.fns.usda.gov/sites/default/files/cn/SP35-2015av2.pdf>.