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Source of Report: [LD 362, Resolve 2021, Chapter 37](#)

Resolve, To Require the Department of Education to Report on Family Income Data Collection

Topic: Child Nutrition and Family Income Data Collection

Context

Federal Requirements

In order to receive federal reimbursement funds from the U.S. Department of Agriculture (USDA), the Maine Department of Education's (DOE) Child Nutrition team is required to follow all current [USDA eligibility requirements](#). Meal benefit applications are required to be used by schools participating in the USDA food programs (school lunch/breakfast, summer food program, and Child and Adult Care Food Program). The application content is defined in Federal regulations 7 CFR 210 and 7 CFR 245. During the 2021 and 2022 school years all districts transitioned to the Summer Program or National School Lunch Program Seamless Summer option made available by Federal waivers; no special provisions (SP) were used.

Throughout the pandemic, utilizing waivers provided by the USDA, school administrative units (SAUs) have been permitted to provide all student meals at no cost to families statewide. As a result, SAUs have experienced increased challenges with collecting meal benefit forms.

Universal access to free meals combined with the challenges created by the pandemic are currently being faced by State Education Agencies (SEA) nationwide. In response, the U.S. Department of Education (USED) and the USDA have recently provided several technical assistance sessions to provide guidance to states related to alternative strategies to determine eligibility for federal reimbursement funds.

U.S. Department of Agriculture – Waiver Request

The DOE's Child Nutrition team submitted a waiver request to the USDA in September 2021 for the elimination of the meal benefit applications beginning in school year 2023. The waiver would have allowed for all SAUs to use the [Community Eligibility Provision \(CEP\)](#). The request was denied by USDA in February 2022. DOE continues to encourage eligible schools to participate in CEP. A spreadsheet of eligible SAUs is available [here](#).

Elementary and Secondary Education Act (ESEA)

ESEA federal statute provides Title I funds for supplemental academic supports based on poverty levels, which are shown to negatively impact academic achievement. This past year, for example, Maine has allocated over \$50 million Title I funds to SAUs from the federal government. The free lunch count data has consistently provided more accurate child poverty counts than captured by the U.S. Census data. Since 2002, the DOE has utilized this alternative data collection of free lunch counts to determine Title I statewide eligibility and allocation distribution.

However, since the inception of free lunch for all during the pandemic, SAUs have reported a significant decrease in free lunch form collection, ultimately leading to a potentially inaccurate reduction in child poverty counts. As a result, some SAUs would likely receive a substantial decrease in Title I funds. Even a low approximation of a 5% decrease in free lunch counts could affect Title I funds by reducing a single SAU's allocation by up to \$150,000. To mitigate the impacts of the potential inaccurate data due to a reduction in lunch forms being returned, the ESEA Federal Programs Department is utilizing [data options](#) provided by the US DOE as of January 2022 for FY23 allocations. Of the options available for use are pre-pandemic data sets, which is what was ultimately utilized in FY22. Simultaneously, the Maine DOE is actively seeking ways to collect more accurate child poverty counts across the state for FY24 and beyond. Further guidance and information will be forthcoming. The Maine DOE remains committed to ensure, as much as possible, that SAUs are not negatively impacted to a significant extent.

Essential Programs and Services (EPS)

Maine education statutes defines economically disadvantaged as “students who are included in the department's count of students who are eligible for free or reduced-price meals or free milk or both.” For schools that participate in the CEP, SAUs use an alternative data form to meet the requirements outlined within Title 20-A. Any SAU may utilize the alternate form to ensure they reach all students that would qualify. It is important to note that the alternate form cannot be used for child nutrition purposes.

Maine Department of Education's Pilot Program

The DOE is currently participating in a pilot program with the USED and U.S. Census that involves internally cross-referencing student address information with U.S. Census data to help identify students living in poverty. The pilot may serve as a potential pathway to facilitate the development of a new method of measuring childhood poverty in Maine.

The DOE was awarded funds from the USED 2019 State Longitudinal Data Systems (SLDS) grant to assist the USED in testing a proposed school-level poverty measure (SLPM). This new measure is based on student addresses instead of participation in free and reduced-price meals. States that elected to participate in this project created a geocoded student address directory and joined student geocodes to other geographic information provided by the National Center for Education Statistics (NCES). States use their newly combined information to produce summaries of the existing (e.g., free and reduced-price lunch) and proposed poverty measures and share these summaries with the USED. States participating in this activity remain in control of the geocoded student address directory that they create, and no individual student data will be shared outside of the state.

DOE's data team has collected student addresses based on student enrollments from October 1, 2021. Once these addresses are validated, latitude and longitude will be assigned to them. The latitude/longitude data will be uploaded to the NCES site and poverty data will be returned. The poverty data will then be correlated back to the students and compared against economic disadvantaged data that was collected as part of the October 1, 2021, enrollment data set. This analysis will likely happen in spring of 2022, which is ahead of our scheduled plan presented in the grant application. While SLPM has been used with some success in urban areas, little to no analysis has been done with rural addresses.

Ongoing Statewide Research

The Maine Education Policy Research Institute (MEPRI) studies the economically disadvantaged component of the Essential Programs and Services (EPS) model; this component relies on income data to be submitted to school administrative units via an alternate form (not part of child nutrition). The most recent study is available [here](#) and the component is also currently under review.

The MEPRI work for the review of the Economically Disadvantaged EPS component is as follows:

Task 1. Prepare background on the federal policy landscape for measuring student poverty, especially USDA and Title I. This report will provide an overview of the context for why it is both important and necessary to measure student poverty, as well as the specific policy constraints within key federal funding programs (school nutrition, Title I, and our longitudinal data systems grant) that dictate what measures can be used. We will also describe the advantages and limitations of the various metrics available.

Task 2. Analysis of per-pupil state subsidy by community wealth will be available in February of 2022. This analysis will indirectly inform conversations about economic disparities across the state by comparing state subsidy distributions by per-pupil valuation as well as by other alternative measures of community wealth.

Task 3. Ongoing promotion of the free and reduced lunch forms throughout the current and upcoming school years.

Task 4. Ongoing Research: Information provided by the MEPRI reports may be used to inform the calculation of the FY 2023-2024 ED 279 subsidy allocations, as, at the time of this report, 2022-2023 subsidy allocations will have been provided to Maine school administrative units.

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