S-3513.1

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**SENATE BILL 5798**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators C. Wilson, Lovelett, Nobles, and Saldaña

AN ACT Relating to increasing public school participation in the community eligibility provision of the United States department of agriculture; amending RCW 28A.235.300; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 28A.235.300 and 2020 c 288 s 3 are each amended to read as follows:

(1)(a) Except as provided otherwise by this section, each public school ((~~with students in or below grade eight~~)) that has an identified student percentage of at least ((~~sixty-two and one-half~~)) 40 percent, or an identified student percentage of less than 40 percent if authorized by federal law, as determined annually by April 1st, must participate in the United States department of agriculture's community eligibility provision in the subsequent school year and throughout the duration of the community eligibility provision's four-year cycle.

(b) School districts, to the extent practicable, shall group public schools for purposes of maximizing the number of public schools eligible to participate in the community eligibility provision. Individual schools participating in a group may have less than 40 percent identified students, provided the average identified student percentage for the group is at least 40 percent.

(2) ((~~Schools~~)) Public schools that, through an arrangement with a local entity, provide meals to all students and at no costs to the students are exempt from the requirements of this section.

(3) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools established under chapter 28A.715 RCW to the same extent as it applies to public schools and school districts.

(4) For the purposes of this section, "identified student" means a student who is directly certified for free school meals based on the student's participation in other means-tested assistance programs, and students who are categorically eligible for free school meals without an application and not subject to income verification.

NEW SECTION. **Sec.**  If specific funding for the purposes of section 1 of this act, referencing section 1 of this act by bill or chapter number and section number, is not provided by June 30, 2022, in the omnibus operating appropriations act, section 1 of this act is null and void.

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