
HOUSE BILL 1272

State of Washington

66th Legislature

2019 Regular Session

By Representatives Thai, Harris, Slatter, Ryu, Riccelli, Kilduff, Caldier, Paul, Peterson, Stonier, Shewmake, Appleton, Orwall, Wylie, Gregerson, and Pollet

Read first time 01/17/19. Referred to Committee on Education.

1 AN ACT Relating to promoting student health and success through
2 adequate school lunch durations; amending RCW 28A.235.150; adding new
3 sections to chapter 28A.235 RCW; creating a new section; and
4 providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that proper
7 nutrition is essential for a student's overall physical and emotional
8 health, and that good health promotes success within and outside of
9 academic environments.

10 (2) The legislature also recognizes that it has made recent and
11 historic investments in Washington's public school system, but that
12 the benefits of those investments cannot be fully realized if
13 students' nutritional needs are unmet.

14 (3) The legislature finds that all students should have a lunch
15 period that provides them with an adequate amount of time to obtain,
16 sit down, and consume a meal, and that when students have inadequate
17 lunch periods, they may make meal choices of convenience that do not
18 promote physical and emotional health.

19 (4) The legislature further finds that federal regulations
20 adopted by the food and nutrition service of the United States
21 department of agriculture to implement the national school lunch act,

1 Title 42 U.S.C. Sec. 1751 et seq., encourage schools to provide
2 sufficient lunch periods that are long enough to give all students
3 adequate time to be served and to eat their lunches, but that in many
4 instances, the duration of school lunch periods are constrained by
5 educational and other factors.

6 (5) The legislature, therefore, intends to promote school lunch
7 periods of adequate duration through designated demonstration sites,
8 the development and implementation of model policies and procedures,
9 and other actions intended to ensure that students have an adequate
10 amount of time to obtain, sit down, and consume a meal.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.235
12 RCW to read as follows:

13 The definitions in this section apply throughout sections 3 and 5
14 of this act and RCW 28A.235.150 unless the context clearly requires
15 otherwise.

16 (1) "Lunch period" means the total time that students are
17 allotted for obtaining and consuming lunches. "Lunch period" includes
18 the student time spent obtaining and consuming a lunch. "Lunch
19 period" begins when the regularly scheduled school class or activity
20 immediately prior to the lunch period ends, and concludes when the
21 regularly scheduled class or activity immediately after the lunch
22 period begins.

23 (2) "Seated lunch duration" means the time that students have to
24 sit and consume their lunch. "Seated lunch duration" is determined by
25 subtracting the time students spend traveling to and from the
26 cafeteria or other location where lunches are served, and obtaining a
27 lunch, from the lunch period. "Seated lunch duration" includes time
28 required for properly returning cafeteria trays or other items and
29 clean-up duties generally expected of all students.

30 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.235
31 RCW to read as follows:

32 (1)(a) The superintendent of public instruction shall designate
33 six public schools as demonstration sites to implement and evaluate
34 procedures to ensure that students have a lunch period that:

35 (i) Includes a seated lunch duration of at least twenty minutes
36 for the consumption of their food; and

1 (ii) Is reflective of the time spent traveling to and from the
2 location where lunches are served and the time spent obtaining a
3 lunch.

4 (b) The selected demonstration sites must reflect grade level,
5 student population, and geographic diversity, and may reflect other
6 elements of diversity, including potential demonstration site
7 outcomes, as determined by the superintendent of public instruction.

8 (2) Schools designated as demonstration sites must be selected
9 through an application process developed for this purpose by the
10 superintendent of public instruction. The application process must
11 allow applicant schools to identify academic and nonacademic measures
12 that they will monitor as a result of being designated as a
13 demonstration site. A school may not be designated as a demonstration
14 site for less than ninety school days nor more than two school years.

15 (3) Schools designated as demonstration sites must share
16 recommendations, technical guidance, average seated lunch durations
17 before and after implementing procedures in accordance with
18 subsection (1) of this section and other applicable data, and best
19 practices with the office of the superintendent of public instruction
20 and any school or school district seeking to implement similar lunch
21 period procedures.

22 (4) The office of the superintendent of public instruction shall
23 provide technical assistance to schools selected as demonstration
24 sites.

25 (5) The office of the superintendent of public instruction shall
26 report its findings and recommendations to the governor, and in
27 accordance with RCW 43.01.036, the education committees of the house
28 of representatives and the senate by July 1, 2021. The report
29 required by this subsection must include a summary of the information
30 provided by schools to the office of the superintendent of public
31 instruction under subsection (3) of this section.

32 (6) This section expires August 31, 2021.

33 **Sec. 4.** RCW 28A.235.150 and 2018 c 8 s 7 are each amended to
34 read as follows:

35 (1)(a) To the extent funds are appropriated for this specific
36 purpose, the superintendent of public instruction may award grants to
37 school districts to:

38 (i) Increase awareness of and participation in school breakfast
39 and lunch programs, including breakfast after the bell programs;

1 (ii) Improve program quality, including the nutritional content
2 of program food and the promotion of nutritious food choices by
3 students;

4 (iii) Promote innovative school-based programs, including but not
5 limited to developing gardens that provide produce used in school
6 breakfast or lunch programs; (~~and~~)

7 (iv) Improve the equipment and facilities used in the programs;
8 and

9 (v) Implement demonstration sites in accordance with section 3 of
10 this act and adopt and enforce policies and procedures under section
11 5 of this act.

12 (b) If applicable, school districts shall demonstrate that they
13 have applied for applicable federal funds before applying for funds
14 under this subsection.

15 (2) To the extent funds are appropriated for this specific
16 purpose, the superintendent of public instruction shall increase the
17 state support for school breakfasts and lunches, including breakfast
18 after the bell programs.

19 (3) As used in this section, "breakfast after the bell" has the
20 definition in RCW 28A.235.200.

21 NEW SECTION. Sec. 5. A new section is added to chapter 28A.235
22 RCW to read as follows:

23 (1) By December 31, 2019, the Washington state school directors'
24 association established in chapter 28A.345 RCW shall adopt a model
25 policy and procedure that school districts may use to ensure that
26 students have a lunch period that:

27 (a) Includes a seated lunch duration of at least twenty minutes
28 for the consumption of their food;

29 (b) Is reflective of the time spent traveling to and from the
30 location where lunches are served and the time spent obtaining a
31 lunch; and

32 (c) Incorporates, to the extent appropriate and feasible,
33 pertinent recommendations from the office of the state auditor.

34 (2) By the beginning of the 2020-21 school year, school districts
35 may adopt and enforce policies and procedures consistent with the
36 model policy and procedures required by this section.

--- END ---