

SENATE BILL REPORT

E2SHB 1272

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 28, 2020
Ways & Means, March 2, 2020

Title: An act relating to promoting student health and success through adequate school lunch durations.

Brief Description: Concerning school lunch durations.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Thai, Harris, Slatter, Ryu, Riccelli, Kilduff, Caldier, Paul, Peterson, Stonier, Shewmake, Appleton, Orwall, Wylie, Gregerson and Pollet).

Brief History: Passed House: 3/06/19, 95-1; 1/16/20, 90-6.

Committee Activity: Early Learning & K-12 Education: 2/26/20, 2/28/20 [DPA-WM].
Ways & Means: 2/29/20, 3/02/20 [DPA (EDU), w/oRec, DNP].

Brief Summary of Amended Bill

- Requires the Office of the Superintendent of Public Instruction (OSPI) to designate six public elementary schools as demonstration sites to ensure students have a seated lunch duration of at least 20 minutes.
- Directs these sites to share recommendations and best practices and requires OSPI to report findings and recommendations regarding these sites by July 1, 2021.
- Requires the Washington State School Directors' Association to amend, if necessary, a model policy and procedure regarding seated lunch duration and allows school districts to adopt and enforce policies and procedures.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy, Hunt, McCoy, Mullet, Padden, Pedersen, Salomon and Wagoner.

Staff: Ailey Kato (786-7434)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Lias, Pedersen and Wagoner.

Minority Report: That it be referred without recommendation.

Signed by Senators Brown, Assistant Ranking Member, Operating; Becker, Van De Wege, Warnick and Wilson, L..

Minority Report: Do not pass.

Signed by Senators Honeyford, Assistant Ranking Member, Capital; Muzzall and Schoesler.

Staff: Kayla Hammer (786-7305)

Background: National School Lunch Program. This program is a federally assisted meal program operating in public and nonprofit private schools. It provides free and reduced-price meals to students.

Federal regulations encourage schools to provide sufficient lunch periods that are long enough to give all students adequate time to be served and to eat their lunches. OSPI rules provide that school lunch periods must allow a reasonable amount of time for each child to take care of personal hygiene and enjoy a complete meal.

Office of the State Auditor. In 2019, this office published a performance audit that included recommendations related to lunch scheduling. It was recommended that OSPI develop and share guidance to help schools overcome barriers to implementing a minimum of 20 minutes of seat time during lunch.

OSPI proposed to amend rules to require a minimum seated lunchtime of 20 minutes and require recess be scheduled before lunch in elementary schools. Hearings on these rules are scheduled in April 2020.

Grant Funding and State Support for Nutrition Programs. To the extent funds are appropriated, OSPI may award grants to school districts for certain purposes related to nutrition.

The 2019-21 operating budget included funding to OSPI to:

- evaluate and implement best practices and procedures for seated lunch durations of at least 20 minutes;
- provide grant awards to school demonstration sites and provide technical support;
- report on findings and recommendations by June 30, 2021; and
- develop a model policy and procedure by February 14, 2020.

Summary of Amended Bill: Demonstration Sites. OSPI must designate six public elementary schools as demonstration sites to implement and evaluate procedures to ensure that students have a lunch period that:

- includes a seated lunch duration of at least 20 minutes; and
- is reflective of the time spent traveling to and from the location where lunches are served and the time spent obtaining a lunch.

Seated lunch duration means the time that students have to sit and consume their lunch and does not include travel time.

The demonstration sites must be selected through an OSPI application process and must reflect diversity of school types, locations, and student populations. The application process must allow applicant schools to identify academic and nonacademic measures they will monitor. A school may not be designated as a demonstration site for less than 90 school days nor more than two school years.

Schools designated as demonstration sites must share recommendations, technical guidance, average seated lunch durations and other applicable data, and best practices.

OSPI must provide technical assistance to schools selected as demonstration sites. OSPI must submit a report with its findings and recommendations by July 1, 2021.

Model Policy and Procedure. By July 1, 2020, the Washington State School Directors' Association (WSSDA) must amend, if necessary, a model policy and procedure that school districts may use to ensure that students have a lunch period that:

- includes a seated lunch duration of at least 20 minutes for consuming their food;
- is reflective of the time spent traveling to and from the location where lunches are served and the time spent obtaining a lunch; and
- incorporates, to the extent appropriate and feasible, pertinent recommendations from the Office of the State Auditor.

By the beginning of the 2023-24 school year, school districts may adopt and enforce policies and procedures consistent with the model.

Grant Funding. To the extent funds are appropriated, OSPI may award grants to school districts to implement demonstration sites and adopt and enforce policies and procedures regarding school lunch durations.

EFFECT OF EARLY LEARNING & K-12 EDUCATION COMMITTEE AMENDMENT(S):

- Provides a cross-reference to a 2019 budget proviso that required WSSDA to adopt a model policy procedure regarding seated lunch durations by February 14, 2020.
- Directs WSSDA to amend the model if necessary by July 1, 2020.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed Second Substitute House Bill (Early Learning & K-12 Education): *The committee recommended a different version of the bill than what was heard.* PRO: Providing adequate time for students to eat lunch supports good nutrition and academic success. It can take time for schools to transition to 20 minute seated lunch. There are number of logistical considerations. This bill will help schools make this transition. Proposed OSPI rules on this topic are a result of a state audit and are working in parallel with this bill.

Persons Testifying (Early Learning & K-12 Education): PRO: Representative My-Linh Thai, Prime Sponsor; Mitch Denning, Alliance of Educational Associations; Leanne Eko, OSPI.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.

Staff Summary of Public Testimony on Bill as Amended by K-12 Education Committee (Ways & Means): None.

Persons Testifying (Ways & Means): No one.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.