

2 SSB 5971 - H AMD  
3 By Representative Dorn

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5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 28A.235.140 and 1989 c 239 s 2 are each amended to  
8 read as follows:

9 (1) For the purposes of this section:

10 (a) "Free or reduced-price lunches" means lunches served by a  
11 school district that qualify for federal reimbursement as free or  
12 reduced-price lunches under the national school lunch program.

13 (b) "School breakfast program" means a program meeting federal  
14 requirements defined in 42 U.S.C. Sec. 1773.

15 (c) "Severe-need school" means a school that qualifies for a  
16 severe-need school reimbursement rate from federal funds for school  
17 breakfasts served to children from low-income families.

18 (2) School districts shall be required to develop and implement  
19 plans for a school breakfast program in severe-need schools, pursuant  
20 to the schedule in this section. For the second year prior to the  
21 implementation of the district's school breakfast program, and for each  
22 subsequent school year, each school district shall submit data enabling  
23 the superintendent of public instruction to determine which schools  
24 within the district will qualify as severe-need schools. In developing  
25 its plan, each school district shall consult with an advisory committee  
26 including school staff and community members appointed by the board of  
27 directors of the district.

28 (3) Using district-wide data on school lunch participation during  
29 the 1988-89 school year, the superintendent of public instruction shall  
30 adopt a schedule for implementation of school breakfast programs in  
31 severe-need schools as follows:

32 (a) School districts where at least forty percent of lunches served  
33 to students are free or reduced-price lunches shall submit a plan for  
34 implementation of a school breakfast program in severe-need schools to  
35 the superintendent of public instruction no later than July 1, 1990.  
36 Each such district shall implement a school breakfast program in all

1 severe-need schools no later than the second day of school in the  
2 1990-91 school year and in each school year thereafter.

3 (b) School districts where at least twenty-five but less than forty  
4 percent of lunches served to students are free or reduced-price lunches  
5 shall submit a plan for implementation of a school breakfast program in  
6 severe-need schools to the superintendent of public instruction no  
7 later than July 1, 1991. Each such district shall implement a school  
8 breakfast program in all severe-need schools no later than the second  
9 day of school in the 1991-92 school year and in each school year  
10 thereafter.

11 (c) School districts where less than twenty-five percent of lunches  
12 served to students are free or reduced-price lunches shall submit a  
13 plan for implementation of a school breakfast program in severe-need  
14 schools to the superintendent of public instruction no later than July  
15 1, 1992. Each such district shall implement a school breakfast program  
16 in all severe-need schools no later than the second day of school in  
17 the 1992-93 school year and in each school year thereafter.

18 (d) School districts that did not offer a school lunch program in  
19 the 1988-89 school year are encouraged to implement such a program and  
20 to provide a school breakfast program in all severe-need schools when  
21 eligible.

22 (4) The requirements in this section shall lapse if the federal  
23 reimbursement rate for breakfasts served in severe-need schools is  
24 eliminated.

25 (5) Students who do not meet family-income criteria for free  
26 breakfasts shall be eligible to participate in the school breakfast  
27 programs established under this section, and school districts may  
28 charge for the breakfasts served to these students. Requirements that  
29 school districts have school breakfast programs ((established)) under  
30 this section ((shall be supported entirely by federal funds and  
31 commodities, charges to students, and other local resources available  
32 for this purpose, and)) shall not create or imply any state funding  
33 obligation for these costs. The legislature does not intend to include  
34 these programs within the state's obligation for basic education  
35 funding under Article IX of the Constitution.

36 NEW SECTION. Sec. 2. A new section is added to chapter 28A.235  
37 RCW to read as follows:

1 State funds received by school districts under this chapter for  
2 school breakfast and lunch programs shall be used to support the  
3 operating costs of the program, including labor, unless specific  
4 appropriations for nonoperating costs are provided.

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

7 (1) To the extent funds are appropriated, the superintendent of  
8 public instruction may award grants to school districts to increase  
9 participation in school breakfast and lunch programs, to improve  
10 program quality, and to improve the equipment and facilities used in  
11 the programs. School districts shall demonstrate that they have  
12 applied for applicable federal funds before applying for funds under  
13 this subsection.

14 (2) To the extent funds are appropriated, the superintendent of  
15 public instruction shall increase the state support for school  
16 breakfasts and lunches.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.235  
18 RCW to read as follows:

19 (1) The superintendent of public instruction shall administer funds  
20 for the federal summer food service program.

21 (2) The superintendent of public instruction may award grants, to  
22 the extent funds are appropriated, to eligible organizations to help  
23 start new summer food service programs for children or to help expand  
24 summer food services for children.

25 **Sec. 5.** RCW 28A.235.100 and 1990 c 33 s 245 are each amended to  
26 read as follows:

27 The superintendent of public instruction shall have power to  
28 ((promulgate)) adopt rules ((and regulations)) as may be necessary to  
29 effectuate the purposes of ((RCW 28A.235.040 through 28A.235.110)) this  
30 chapter.

31 NEW SECTION. **Sec. 6.** If specific funding for the purposes of this  
32 act, referencing this act by bill number, is not provided by June 30,  
33 1993, in the omnibus appropriations act, this act is null and void."

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