
**Children & Family Services
Committee**

HB 2769

Brief Description: Reducing hunger.

Sponsors: Representatives Pettigrew, Benson, Kagi, Nixon, Miloscia, Tom, Darneille, Dickerson, Linville, Hunter, Simpson, G., Kirby, Moeller, Schual-Berke, Chase, Upthegrove, Morrell, Wood and Hudgins.

Brief Summary of Bill

- Requires all school districts to implement a school breakfast and school lunch program in each public school during a five year phase-in period if one child in the school qualifies for free or reduced-price lunch.
- Requires all schools offering a summer program to offer a summer food service program that is open to all children in the area if at least 50% of the children enrolled in the school qualify for free or reduced-price lunch.
- Requires the Department of Social and Health Services (DSHS) to implement simplified reporting by October 31, 2004.
- Requires the DSHS to provide transitional food stamp assistance for 5 months to eligible persons who cease to receive Temporary Assistance for Needy Families.

Hearing Date: 1/29/04

Staff: Sonja Hallum (786-7092).

Background:

Federal nutrition programs offer food assistance to low-income people. The federal nutrition programs are entitlement programs which allow federal funds to flow to the states to implement the programs. The main federal nutrition programs do not require a state match and the benefits are entirely paid by the federal government. Food Stamps and child nutrition programs, such as school lunch, school breakfast and summer feeding programs, are a few of the main federal programs.

Child Nutrition:

All school meals served under the federal School Breakfast Program and National School Lunch Program receive some level of federal support. Schools that choose to participate in the program receive cash subsidies from the U.S. Department of Agriculture (USDA) for each meal they

serve. In return, they must serve meals that meet federal requirements and must offer free or reduced-price meals to eligible children. Federal reimbursements are the highest for free or reduced-price school meals served to low-income students.

In Washington, school lunch programs are not currently required for any school. School breakfast programs are currently mandated for "severe-need" schools. A school qualifies as "severe-need" if 40% or more of the lunches served over two prior years were free or reduced-price and the total breakfast costs exceed the non-severe-need USDA reimbursement rate.

Summer feeding programs offer food assistance to children during the summer months when the School Breakfast Program and National School Lunch Program are not operating. The National Summer Food Service Program provides federal funding for feeding programs to be included with summer activity programs. Washington does not currently require any summer programs to contain a feeding program.

Food Stamp Program:

The Food Stamp Program is a federal program enabling low-income families to purchase eligible food at authorized retail food stores primarily through the use of electronic benefit cards. The USDA administers the program at the federal level and the state agencies administer the program at the state and local levels, including determination of eligibility and allotments, and distribution of benefits. In Washington, the Food Stamp Program is called the Basic Food Program.

Eligibility for the Food Stamp Program is based on financial and non-financial factors. The application process includes completing and filing an application form, being interviewed, and verifying facts crucial to determining eligibility. Once a household is determined eligible, the household must report changes in circumstances to the department within ten days of the change. Examples of changes in circumstances that must be reported include the following: sources of income, unearned income greater than \$50.00, household members, marital status, work hours, salary, child support, and medical or shelter costs.

A household may be eligible for the Food Stamp Program regardless of eligibility for other assistance including Temporary Assistance for Needy Families (TANF). The 2002 federal Food Stamp Reauthorization law allows a state the option of providing five months of transitional food stamps to families that leave TANF without requiring the family to reapply or submit any additional paperwork or other information. States may not provide transitional food stamps to families that cease to receive TANF cash assistance because of a sanction or to households that are disqualified from the Food Stamp Program.

Summary of Bill:

Child Nutrition:

1. School Breakfast and Lunch:

The bill requires schools to implement a school breakfast and school lunch program in all public schools in which educational services are provided to children in any of the grades kindergarten through four that have at least one child who qualifies for a free or reduced-price lunch. The bill sets out the following implementation schedule that phases in the requirement over a period of five years:

- a. Schools offering a school lunch program, but not a school breakfast program as of the implementation date of the bill must offer a school breakfast program by the second day of school in the 2004-2005 school year;
- b. Schools not offering either a school breakfast or school lunch program and in which more than 25% of the enrolled students are eligible for free or reduced-price lunch must implement either a school breakfast or school lunch program not later than the second day of school in the 2005-06 school year;
- c. Schools not offering either a school breakfast or school lunch program and in which less than 25% of the enrolled students are eligible for free or reduced-price lunch must implement either a school breakfast or school lunch program not later than the second day of school in the 2006-07 school year;
- d. Each school required to offer a school breakfast or school lunch must implement both a school breakfast and school lunch program not later than the second day of the 2008-09 school year.

The bill incorporates the current requirement to provide school breakfast in severe-need schools and repeals the school breakfast statute that contains many out-of-date provisions. The bill continues the current school breakfast requirement in all severe-need schools that provide educational services to children in any grades other than kindergarten through fourth. This would effectively continue school breakfasts in severe-need "middle" and "high" schools.

The schools must distribute, collect, and review applications to determine eligibility for free and reduced-price lunches.

The superintendent is authorized to establish minimum standards for the meal programs that are sufficient to qualify for federal reimbursement. If the federal reimbursement for any of the feeding programs lapses, the state requirement to have any of the school feeding programs will lapse.

2. Summer Program:

The bill requires all schools that offer summer academic, enrichment, remedial, or recreational services to offer a summer food service program that is open to all children in the area if at least 50% of the children enrolled in the school qualify for free or reduced-price lunch. The sites must be open unless a compelling case can be made to limit access to the program.

The superintendent is required to adopt an implementation schedule for the summer food service program as follows:

- a) Beginning the summer of 2005 if the school currently offers a school breakfast or school lunch program at that time; or
- b) Beginning the summer following the school year during which a school implements either a school breakfast or school lunch program.

Food Stamp Program

1. Simplified Reporting:

The bill mandates the Department of Social and Health Services (DSHS) to implement "simplified reporting" for the federal Food Stamp Program by October 31, 2004. "Simplified reporting" is defined to mean that the only report of change in circumstance that a recipient of a benefit program must make between eligibility reviews is an increase of income that would result in ineligibility for the program. This requirement effectively means that a recipient of food stamps is only required to notify the department if he or she has a change of income greater than 130%.

2. Transitional Benefits:

To the maximum extent allowable by federal law, beginning on October 31, 2005 the DSHS is required to continue to provide food stamp assistance for five months to a person who ceases to receive TANF assistance. The DSHS is authorized to extend the household's certification until the end of the transition period.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.