
ENGROSSED SUBSTITUTE HOUSE BILL 2610

State of Washington

65th Legislature

2018 Regular Session

By House Appropriations (originally sponsored by Representatives Peterson, Bergquist, Pollet, Gregerson, Appleton, Valdez, Ryu, Jinkins, Macri, Tarleton, Hudgins, McBride, Doglio, Stonier, Fey, Goodman, Santos, Frame, and Stanford)

READ FIRST TIME 02/06/18.

1 AN ACT Relating to a hunger-free students' bill of rights; adding
2 new sections to chapter 28A.235 RCW; adding a new section to chapter
3 28A.300 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.235
6 RCW to read as follows:

7 (1)(a) Except as provided otherwise in subsection (2) of this
8 section, each school that participates in the national school lunch
9 program, the school breakfast program, or both, shall annually
10 distribute and collect an application for all households of children
11 in kindergarten through grade twelve to determine student eligibility
12 for free or reduced-price meals. If a parent or guardian of a student
13 needs assistance with application materials in a language other than
14 English, the school shall offer appropriate assistance to the parent
15 or guardian.

16 (b) If a student who, based on information available to the
17 school, is likely eligible for free or reduced-price meals but has
18 not submitted an application to determine eligibility, the school
19 shall, in accordance with the authority granted under 7 C.F.R. Sec.
20 245.6(d), complete and submit the application for the student.

1 (2) Subsection (1) of this section does not apply to a school
2 that provides free meals to all students in a year in which the
3 school does not collect applications to determine student eligibility
4 for free or reduced-price meals.

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

7 (1) Local liaisons for homeless children and youths designated by
8 districts in accordance with the federal McKinney-Vento homeless
9 assistance act 42 U.S.C. Sec. 11431 et seq. must improve systems to
10 identify homeless students and coordinate with the applicable school
11 nutrition program to ensure that each homeless student has proper
12 access to free school meals and that applicable accountability and
13 reporting requirements are satisfied.

14 (2) Schools and school districts shall improve systems to
15 identify students in foster care, runaway students, and migrant
16 students to ensure that each student has proper access to free school
17 meals and that applicable accountability and reporting requirements
18 are satisfied.

19 (3) At least monthly, schools and school districts shall directly
20 certify students for free school meals if the students qualify
21 because of enrollment in assistance programs, including but not
22 limited to the supplemental nutrition assistance program, the
23 temporary assistance for needy families, and medicaid.

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

26 If a student has not paid for five or more previous meals, the
27 school shall:

28 (1) Determine whether the student is categorically eligible for
29 free meals;

30 (2) If no application has been submitted for the student to
31 determine his or her eligibility for free or reduced-price meals,
32 make no fewer than two attempts to contact the student's parent or
33 guardian to have him or her submit an application; and

34 (3) Have a principal, assistant principal, or school counselor
35 contact the parent or guardian for the purpose of: (a) Offering
36 assistance with completing an application to determine the student's
37 eligibility for free or reduced-price meals; (b) determining whether
38 there are any household issues that may prevent the student from

1 having sufficient funds for school meals; and (c) offering any
2 appropriate assistance.

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

5 (1) No school or district personnel or school volunteer may:

6 (a) Take any action directed at a student under the age of
7 fifteen to collect unpaid school meal fees;

8 (b) Stigmatize, or take any action that would likely stigmatize,
9 a student who cannot pay for a school meal or for meals previously
10 served to the student, including but not limited to requiring the
11 student wear a wristband, hand stamp, or other identifying marker, or
12 by serving the student an alternative meal;

13 (c) Require a student who cannot pay for a school meal or for
14 meals previously served to the student to perform chores or other
15 actions in exchange for a meal or for the reduction or elimination of
16 a school meal debt, unless all students perform similar chores or
17 work;

18 (d) Require a student dispose of a served meal because of the
19 student's inability to pay for the meal or because of money owed for
20 meals previously served to the student;

21 (e) Allow any disciplinary action that is taken against a student
22 to result in the denial or delay of a nutritionally adequate meal to
23 the student; or

24 (f) Require a parent or guardian to pay fees or costs in excess
25 of the actual amounts owed for meals previously served to the
26 student.

27 (2) Communications from a school or district about amounts owed
28 for meals previously served to a student under the age of fifteen may
29 only be directed to the student's parent or guardian. Nothing in this
30 subsection prohibits a school or district from sending a student home
31 with a notification that is addressed to the student's parent or
32 guardian.

33 (3)(a) A school district shall notify a parent or guardian of the
34 negative balance of a student's school meal account no later than ten
35 days after the student's school meal account has reached a negative
36 balance. Before sending this notification, the district must exhaust
37 all options to directly certify the student for free or reduced-price
38 meals.

1 (b) If the school district is unable to directly certify the
2 student for free or reduced-price meals, the school district shall
3 provide the parent or guardian with a paper copy of or an electronic
4 link to an application for free or reduced-price meals with the
5 notification required by (a) of this subsection (3) and encourage the
6 parent or guardian to submit the application.

7 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.300
8 RCW to read as follows:

9 The office of the superintendent of public instruction shall
10 collect, analyze, and promote to school districts and applicable
11 community-based organizations best practices in local meal charge
12 policies that are required by the United States department of
13 agriculture in memorandum SP 46-2016.

14 NEW SECTION. **Sec. 6.** This act may be known and cited as the
15 hunger-free students' bill of rights act.

--- END ---