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**SUBSTITUTE HOUSE BILL 2610**

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**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 to collect unpaid  
7 school meal fees;

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

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

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

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

25 (f) Require a parent or guardian to pay fees or costs from  
26 collection agencies hired by the school or district to collect  
27 amounts owed for meals previously served to the student.

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

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