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**HOUSE BILL 2660**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Representatives Riccelli, Harris, Santos, Shewmake, Leavitt, Steele, Stonier, Hudgins, Senn, Gregerson, Doglio, Peterson, Thai, Rude, Valdez, Chapman, Bergquist, Goodman, Callan, Tharinger, Maycumber, Pollet, Davis, Kretz, and Macri

AN ACT Relating to increasing the availability of school meals provided to public school students at no student cost; amending RCW 28A.235.290; adding a new section to chapter 28A.235 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  This act may be known and cited as the hunger-free schools act.

**Sec.**  RCW 28A.235.290 and 2019 c 208 s 2 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall develop and implement a plan to increase the number of schools participating in the United States department of agriculture community eligibility provision for the 2018-19 school year and subsequent years. The office shall work jointly with community-based organizations and national experts focused on hunger and nutrition and familiar with the community eligibility provision, at least two school representatives who have successfully implemented community eligibility, and the state agency responsible for medicaid direct certification. The plan must describe how the office of the superintendent of public instruction will:

(a) Identify and recruit eligible schools to implement the community eligibility provision, with the goal of increasing the participation rate of eligible schools to at least the national average;

(b) Provide comprehensive outreach and technical assistance to school districts and schools to implement the community eligibility provision;

(c) Support breakfast after the bell programs authorized by the legislature to adopt the community eligibility provision;

(d) Work with school districts to group schools in order to maximize the number of schools implementing the community eligibility provision; and

(e) Determine the maximum percentage of students eligible for free meals where participation in the community eligibility provision provides the most support for a school, school district, or group of schools.

(2) Until June 30, ((~~2019~~)) 2021, the office of the superintendent of public instruction shall convene the organizations working jointly on the plan monthly to report on the status of the plan and coordinate outreach and technical assistance efforts to schools and school districts.

(3) Beginning in 2021 and by April 1st of each year, the office of the superintendent of public instruction shall identify which schools and school districts have an identified students percentage of at least forty percent under federal guidelines for the community eligibility provision. Within thirty days of completing the identification process required by this subsection, or at an earlier date, if necessary, to comply with federal requirements, the office of the superintendent of public instruction shall:

(a) Notify each school and school district that has been identified as eligible for participation in the community eligibility provision;

(b) Provide technical assistance to the notified schools and school districts with the goal of maximizing the number of students who are eligible for universal free meals; and

(c) Ensure appropriate reimbursement rates for schools and school districts participating in the community eligibility provision.

(4) Beginning in 2018, the office of the superintendent of public instruction shall report annually the number of schools that have implemented the community eligibility provision to the legislature by December 1st of each year. The report shall identify:

(a) Any barriers to implementation;

(b) Recommendations on policy and legislative solutions to overcome barriers to implementation;

(c) Reasons potentially eligible schools and school districts decide not to adopt the community eligibility provision; and

(d) Approaches in other states to adopting the community eligibility provision.

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

(1) Beginning in the 2020-21 school year, each school with a school lunch program and school breakfast program must make school lunches and breakfasts available to all students at no charge to the students if the school or the school district has an identified students percentage of at least forty percent or if at least seventy percent of the students of the school or school district qualify for free or reduced-price meals.

(2)(a) Except as provided otherwise by (b) of this subsection, each school and school district that has an identified students percentage of at least forty percent, as determined annually by each April 1st, must participate in the United States department of agriculture community eligibility provision in the subsequent school year and throughout the duration of the community eligibility provision's four-year cycle.

(b) The board of directors of a school district that is wholly or partially subject to (a) of this subsection may, by public vote, exempt itself from the requirements of (a) of this subsection after receiving public testimony regarding the district's full or partial participation in the community eligibility provision at one or more public meetings held by June 1st in the school year prior to that which the school or district would be required by (a) of this subsection to participate in the community eligibility provision. This subsection (2)(b) applies only to schools and school districts with an identified students percentage, as of the most recent annual determination, of at least fifty-one percent and less than sixty-two and one-half percent.

(3) Each school or school district that has an identified students percentage of at least forty percent and less than fifty-one percent that does not exercise the exemption provided in subsection (2)(b) of this section must receive a per-meal reimbursement from the office of the superintendent of public instruction for the first two school years of their participation in the community eligibility provision that is equal to the amount the school or district would have received if its identified students percentage was sixty-two and one-half percent.

(4) For the purposes of this section:

(a) "Identified students" means students who are approved as eligible for free meals and who are not subject to a household income verification for the meals.

(b) "School lunch program" and "school breakfast program" have the same meanings as in RCW 28A.235.160.

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