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**SENATE BILL 5964**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senators Nobles, Frame, Dhingra, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Pedersen, Randall, Saldaña, Stanford, Trudeau, Valdez, and C. Wilson

AN ACT Relating to increasing student access to free meals served at public schools; amending RCW 28A.150.260, 28A.235.135, 28A.235.160, 28A.235.250, 28A.235.270, 28A.235.285, and 28A.405.415; creating new sections; repealing RCW 28A.235.260; and providing an effective date.

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

NEW SECTION. **Sec.**  The legislature finds that providing all public school students with access to meals served without charge each school day will support academic success and promote student well-being. The legislature, in support of students, families, and productive learning environments, and in recognition of financial challenges that can create barriers to academic achievement, declares that no student should ever experience hunger or food insecurity within a public school.

The legislature, therefore, intends to provide all requesting students with access to school meals that are served without charge.

**Sec.**  RCW 28A.150.260 and 2023 c 379 s 6 are each amended to read as follows:

The purpose of this section is to provide for the allocation of state funding that the legislature deems necessary to support school districts in offering the minimum instructional program of basic education under RCW 28A.150.220. The allocation shall be determined as follows:

(1) The governor shall and the superintendent of public instruction may recommend to the legislature a formula for the distribution of a basic education instructional allocation for each common school district.

(2)(a) The distribution formula under this section shall be for allocation purposes only. Except as may be required under subsections (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in this section requires school districts to use basic education instructional funds to implement a particular instructional approach or service. Nothing in this section requires school districts to maintain a particular classroom teacher-to-student ratio or other staff-to-student ratio or to use allocated funds to pay for particular types or classifications of staff. Nothing in this section entitles an individual teacher to a particular teacher planning period.

(b) To promote transparency in state funding allocations, the superintendent of public instruction must report state per-pupil allocations for each school district for the general apportionment, special education, learning assistance, transitional bilingual, highly capable, and career and technical education programs. The superintendent must report this information in a user-friendly format on the main page of the office's website. School districts must include a link to the superintendent's per-pupil allocations report on the main page of the school district's website. In addition, the budget documents published by the legislature for the enacted omnibus operating appropriations act must report statewide average per-pupil allocations for general apportionment and the categorical programs listed in this subsection.

(3)(a) To the extent the technical details of the formula have been adopted by the legislature and except when specifically provided as a school district allocation, the distribution formula for the basic education instructional allocation shall be based on minimum staffing and nonstaff costs the legislature deems necessary to support instruction and operations in prototypical schools serving high, middle, and elementary school students as provided in this section. The use of prototypical schools for the distribution formula does not constitute legislative intent that schools should be operated or structured in a similar fashion as the prototypes. Prototypical schools illustrate the level of resources needed to operate a school of a particular size with particular types and grade levels of students using commonly understood terms and inputs, such as class size, hours of instruction, and various categories of school staff. It is the intent that the funding allocations to school districts be adjusted from the school prototypes based on the actual number of annual average full-time equivalent students in each grade level at each school in the district and not based on the grade-level configuration of the school to the extent that data is available. The allocations shall be further adjusted from the school prototypes with minimum allocations for small schools and to reflect other factors identified in the omnibus appropriations act.

(b) For the purposes of this section, prototypical schools are defined as follows:

(i) A prototypical high school has 600 average annual full-time equivalent students in grades nine through 12;

(ii) A prototypical middle school has 432 average annual full-time equivalent students in grades seven and eight; and

(iii) A prototypical elementary school has 400 average annual full-time equivalent students in grades kindergarten through six.

(4)(a)(i) The minimum allocation for each level of prototypical school shall be based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours under RCW 28A.150.220 and provide at least one teacher planning period per school day, and based on the following general education average class size of full-time equivalent students per teacher:

General education

average class size

Grades K-3 17.00

Grade 4 27.00

Grades 5-6 27.00

Grades 7-8 28.53

Grades 9-12 28.74

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through 12 per full-time equivalent high school student multiplied by a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

Laboratory science

average class size

Grades 9-12 19.98

(b)(i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of, and proportionate to, the school district's demonstrated actual class size in grades K-3, up to the funded class sizes.

(ii) The office of the superintendent of public instruction shall develop rules to implement this subsection (4)(b).

(c)(i) The minimum allocation for each prototypical middle and high school shall also provide for full-time equivalent classroom teachers based on the following number of full-time equivalent students per teacher in career and technical education:

Career and technical

education average

class size

Approved career and technical education offered at

the middle school and high school level 23.00

Skill center programs meeting the standards established

by the office of the superintendent of public

instruction 19.00

(ii) Funding allocated under this subsection (4)(c) is subject to RCW 28A.150.265.

(d) In addition, the omnibus appropriations act shall at a minimum specify:

(i) A high-poverty average class size in schools where more than 50 percent of the students are eligible for free and reduced-price meals; and

(ii) A specialty average class size for advanced placement and international baccalaureate courses.

(5)(a) The minimum allocation for each level of prototypical school shall include allocations for the following types of staff in addition to classroom teachers:

|  |  |  |  |
| --- | --- | --- | --- |
|  | Elementary School | Middle School | High School |
| Principals, assistant principals, and other certificated building‑level administrators | 1.253 | 1.353 | 1.880 |
| Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs | 0.663 | 0.519 | 0.523 |
| Teaching assistance, including any aspect of educational instructional services provided by classified employees | 0.936 | 0.700 | 0.652 |
| Office support and other noninstructional aides | 2.012 | 2.325 | 3.269 |
| Custodians | 1.657 | 1.942 | 2.965 |
| Nurses | 0.585 | 0.888 | 0.824 |
| Social workers | 0.311 | 0.088 | 0.127 |
| Psychologists | 0.104 | 0.024 | 0.049 |
| Counselors | 0.993 | 1.716 | 3.039 |
| Classified staff providing student and staff safety | 0.079 | 0.092 | 0.141 |
| Parent involvement coordinators | 0.0825 | 0.00 | 0.00 |

(b)(i) The superintendent may only allocate funding, up to the combined minimum allocations, for nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, and parent involvement coordinators under (a) of this subsection to the extent of and proportionate to a school district's demonstrated actual ratios of: Full-time equivalent physical, social, and emotional support staff to full-time equivalent students.

(ii) The superintendent must adopt rules to implement this subsection (5)(b) and the rules must require school districts to prioritize funding allocated as required by (b)(i) of this subsection for physical, social, and emotional support staff who hold a valid educational staff associate certificate appropriate for the staff's role.

(iii) For the purposes of this subsection (5)(b), "physical, social, and emotional support staff" include nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, parent involvement coordinators, and other school district employees and contractors who provide physical, social, and emotional support to students as defined by the superintendent.

(6)(a) The minimum staffing allocation for each school district to provide district‑wide support services shall be allocated per one thousand annual average full‑time equivalent students in grades K‑12 as follows:

Staff per 1,000

K-12 students

Technology 0.628

Facilities, maintenance, and grounds 1.813

Warehouse, laborers, and mechanics 0.332

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central administration shall be 5.30 percent of the staff units generated under subsections (4)(a) and (5) of this section and (a) of this subsection.

(7) The distribution formula shall include staffing allocations to school districts for career and technical education and skill center administrative and other school-level certificated staff, as specified in the omnibus appropriations act.

(8)(a) Except as provided in (b) of this subsection, the minimum allocation for each school district shall include allocations per annual average full-time equivalent student for the following materials, supplies, and operating costs as provided in the 2017-18 school year, after which the allocations shall be adjusted annually for inflation as specified in the omnibus appropriations act:

Per annual average

full-time equivalent student

in grades K-12

Technology $130.76

Utilities and insurance $355.30

Curriculum and textbooks $140.39

Other supplies $278.05

Library materials $20.00

Instructional professional development for certificated and

classified staff $21.71

Facilities maintenance $176.01

Security and central office administration $121.94

(b) In addition to the amounts provided in (a) of this subsection, beginning in the 2014-15 school year, the omnibus appropriations act shall provide the following minimum allocation for each annual average full-time equivalent student in grades nine through 12 for the following materials, supplies, and operating costs, to be adjusted annually for inflation:

Per annual average

full-time equivalent student

in grades 9-12

Technology $36.35

Curriculum and textbooks $39.02

Other supplies $77.28

Library materials $5.56

Instructional professional development for certificated and

classified staff $6.04

(9) In addition to the amounts provided in subsection (8) of this section and subject to RCW 28A.150.265, the omnibus appropriations act shall provide an amount based on full-time equivalent student enrollment in each of the following:

(a) Exploratory career and technical education courses for students in grades seven through 12;

(b) Preparatory career and technical education courses for students in grades nine through 12 offered in a high school; and

(c) Preparatory career and technical education courses for students in grades 11 and 12 offered through a skill center.

(10) In addition to the allocations otherwise provided under this section, amounts shall be provided to support the following programs and services:

(a)(i) To provide supplemental instruction and services for students who are not meeting academic standards through the learning assistance program under RCW 28A.165.005 through 28A.165.065, allocations shall be based on the greater of either: The district percentage of students in kindergarten through grade 12 who were eligible for free or reduced-price meals for the school year immediately preceding the district's participation, in whole or part, in the United States department of agriculture's community eligibility provision, or the district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year. The minimum allocation for the program shall, except as provided in (a)(iii) of this subsection, provide for each level of prototypical school resources to provide, on a statewide average, 2.3975 hours per week in extra instruction with a class size of 15 learning assistance program students per teacher.

(ii) In addition to funding allocated under (a)(i) of this subsection, to provide supplemental instruction and services for students who are not meeting academic standards in qualifying schools. A qualifying school, except as provided in (a)(iv) of this subsection, means a school in which the three-year rolling average of the prior year total annual average enrollment that qualifies for free or reduced-price meals equals or exceeds 50 percent or more of its total annual average enrollment. A school continues to meet the definition of a qualifying school if the school: Participates in the United States department of agriculture's community eligibility provision; and met the definition of a qualifying school in the year immediately preceding their participation. The minimum allocation for this additional high poverty-based allocation must provide for each level of prototypical school resources to provide, on a statewide average, 1.1 hours per week in extra instruction with a class size of 15 learning assistance program students per teacher, under RCW 28A.165.055, school districts must distribute the high poverty-based allocation to the schools that generated the funding allocation.

(iii) For the 2024-25 ((~~and 2025-26~~)) through 2027-28 school years, allocations under (a)(i) of this subsection for school districts providing meals at no charge to students under RCW 28A.235.135 that are not participating, in whole or in part, in the United States department of agriculture's community eligibility provision shall be based on the school district percentage of students in grades K-12 who were eligible for free or reduced-price meals in school years 2019-20 through 2022-23 or the prior school year, whichever is greatest.

(iv) For the 2024-25 ((~~and 2025-26~~)) through 2027-28 school years, a school providing meals at no charge to students under RCW 28A.235.135 that is not participating in the department of agriculture's community eligibility provision continues to meet the definition of a qualifying school under (a)(ii) of this subsection if the school met the definition during one year of the 2019-20 through 2022-23 school years, or in the prior school year.

(b)(i) To provide supplemental instruction and services for students whose primary language is other than English, allocations shall be based on the head count number of students in each school who are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080. The minimum allocation for each level of prototypical school shall provide resources to provide, on a statewide average, 4.7780 hours per week in extra instruction for students in grades kindergarten through six and 6.7780 hours per week in extra instruction for students in grades seven through 12, with 15 transitional bilingual instruction program students per teacher. Notwithstanding other provisions of this subsection (10), the actual per-student allocation may be scaled to provide a larger allocation for students needing more intensive intervention and a commensurate reduced allocation for students needing less intensive intervention, as detailed in the omnibus appropriations act.

(ii) To provide supplemental instruction and services for students who have exited the transitional bilingual program, allocations shall be based on the head count number of students in each school who have exited the transitional bilingual program within the previous two years based on their performance on the English proficiency assessment and are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.040(1)(g). The minimum allocation for each prototypical school shall provide resources to provide, on a statewide average, 3.0 hours per week in extra instruction with 15 exited students per teacher.

(c) To provide additional allocations to support programs for highly capable students under RCW 28A.185.010 through 28A.185.030, allocations shall be based on 5.0 percent of each school district's full-time equivalent basic education enrollment. The minimum allocation for the programs shall provide resources to provide, on a statewide average, 2.1590 hours per week in extra instruction with fifteen highly capable program students per teacher.

(11) The allocations under subsections (4)(a), (5), (6), and (8) of this section shall be enhanced as provided under RCW 28A.150.390 on an excess cost basis to provide supplemental instructional resources for students with disabilities.

(12)(a) For the purposes of allocations for prototypical high schools and middle schools under subsections (4) and (10) of this section that are based on the percent of students in the school who are eligible for free and reduced-price meals, the actual percent of such students in a school shall be adjusted by a factor identified in the omnibus appropriations act to reflect underreporting of free and reduced-price meal eligibility among middle and high school students.

(b) Allocations or enhancements provided under subsections (4), (7), and (9) of this section for exploratory and preparatory career and technical education courses shall be provided only for courses approved by the office of the superintendent of public instruction under chapter 28A.700 RCW.

(13)(a) This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature.

(b) In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect.

(c) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the first school day of each month, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. The definition of full-time equivalent student shall be determined by rules of the superintendent of public instruction and shall be included as part of the superintendent's biennial budget request. The definition shall be based on the minimum instructional hour offerings required under RCW 28A.150.220. Any revision of the present definition shall not take effect until approved by the house ways and means committee and the senate ways and means committee.

(d) The office of financial management shall make a monthly review of the superintendent's reported full-time equivalent students in the common schools in conjunction with RCW 43.62.050.

**Sec.**  RCW 28A.235.135 and 2023 c 379 s 2 are each amended to read as follows:

(1)(a) ((~~In accordance with (b) and (c) of this subsection~~)) Except as provided otherwise by this section and RCW 28A.235.160, beginning with the ((~~2023-24~~)) 2024-25 school year, each school district shall provide breakfast and lunch each school day to any student who requests a breakfast, lunch, or both. The school district must provide the meals at no charge to the student and without consideration of the student's eligibility for a federally reimbursed free or reduced-price meal. Meals provided under this section must be nutritiously adequate and qualify for federal reimbursement under the school lunch program or the school breakfast program, and students are not eligible for more than one meal in a meal service period.

(b) The requirements in (a) of this subsection ((~~apply to public schools in which:~~

~~(i) Educational services are provided to students in any of the grades of kindergarten through four; and~~

~~(ii) 30 percent or more of the enrolled students meet federal eligibility requirements for free or reduced-price lunches.~~

~~(c) The obligation to provide breakfast and lunch to students under this subsection (1):~~

~~(i) Begins in the 2023-24 school year for schools in which 40 percent or more of the enrolled students meet federal eligibility requirements for free or reduced-price lunches;~~

~~(ii) Begins in the 2024-25 school year for schools in which the percentage of enrolled students that meet federal eligibility requirements for free or reduced-price lunches is at least 30 percent and less than 40 percent; and~~

~~(iii) Does~~)), for purposes of having schools participating in the United States department of agriculture's community eligibility provision under RCW 28A.235.300 complete the duration of the provision's four-year cycle, do not apply to schools participating in the ((~~United States department of agriculture's~~)) community eligibility provision ((~~under RCW 28A.235.300~~)) that have not completed the duration of the provision's four-year cycle.

(2) The office of the superintendent of public instruction shall reimburse school districts, subject to the requirements of subsection (1) of this section, on a per meal reimbursement basis for meals that are not already reimbursed at the United States department of agriculture's free rate. The additional state reimbursement amount must be the difference between the United States department of agriculture's free rate and the United States department of agriculture's paid rate.

(3) School districts, in accordance with RCW 28A.235.160, may be exempted from the requirements of this section.

(4) To maximize federal funding, school districts must continue collecting free and reduced-price meal eligibility applications where applicable and run direct certification at least monthly in accordance with RCW 28A.235.280. School districts shall also annually monitor data for eligibility in the United States department of agriculture community eligibility provision and apply where eligible as required in RCW 28A.235.300.

(5) For the purposes of this section, the following definitions apply:

(a) "Public school" has the same meaning as in RCW 28A.150.010.

(b) "School breakfast program" has the same meaning as in RCW 28A.235.160.

(c) "School lunch program" has the same meaning as in RCW 28A.235.160.

(6) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools ((~~established under~~)) subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

(7) The requirements in this section shall lapse if the federal reimbursement for ((~~any~~)) school breakfasts or lunches is eliminated.

**Sec.**  RCW 28A.235.160 and 2023 c 379 s 4 are each amended to read as follows:

(1) For the purposes of this section:

(a) "Free or reduced-price lunch" means a lunch served by a school district participating in the national school lunch program to a student qualifying for national school lunch program benefits based on family size-income criteria.

(b) ((~~"Lunch copay" means the amount a student who qualifies for a reduced-price lunch is charged for a reduced-price lunch.~~

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

((~~(d)~~)) (c) "School lunch program" means a meal program meeting the requirements defined in Title 42 U.S.C. Sec. 1751 et seq.

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

~~(f)~~)) (d) "Summer food service program" means a meal or snack program meeting the requirements defined by the superintendent of public instruction under subsection ((~~(4)~~)) (3) of this section.

(2) School districts shall implement a school lunch program ((~~in each public school in the district in which educational services are provided to children in any of the grades of kindergarten through four and in which 25 percent or more of the enrolled students qualify for a free or reduced-price lunch~~)) and school breakfast program in each public school in the district in which educational services are provided to students. In accordance with RCW 28A.235.135, school districts shall provide meals at no charge to all requesting students at public schools ((~~that meet the criteria established in RCW 28A.235.135(1) (b) and (c)~~)). In developing and implementing its school lunch program and school breakfast program, each school district may consult with an advisory committee including school staff, community members, and others appointed by the board of directors of the district.

(3) ((~~To the extent funds are appropriated for this purpose, each school district shall implement a school breakfast program in each school where more than 40 percent of students eligible to participate in the school lunch program qualify for free or reduced-price meal reimbursement. Beginning in the 2023-24 school year and in accordance with RCW 28A.235.135, school districts shall implement a breakfast program in each school providing meals at no charge to students. For the second year before the implementation of the district's school breakfast program, and for each subsequent school year, each school district shall submit data enabling the superintendent of public instruction to determine which schools within the district will qualify for this requirement. Schools where lunch programs start after the 2003-04 school year, where 30 percent of students qualify for free or reduced-price meals, must begin school breakfast programs the second year following the start of a lunch program.~~

~~(4)~~)) Each school district shall implement a summer food service program in each public school in the district in which a summer program of academic, enrichment, or remedial services is provided and in which 50 percent or more of the children enrolled in the school meet federal eligibility requirements for free or reduced-price lunch. However, the superintendent of public instruction shall develop rules establishing criteria to permit an exemption for a school that can demonstrate availability of an adequate alternative summer feeding program. Sites providing meals should be open to all children in the area, unless a compelling case can be made to limit access to the program. The superintendent of public instruction shall adopt a definition of compelling case and a schedule for implementation as follows:

(a) Beginning the summer of 2005 if the school currently offers a school breakfast or lunch program; or

(b) Beginning the summer following the school year during which a school implements a school lunch program under this section.

((~~(5)~~)) (4) Schools not offering a ((~~breakfast or lunch~~)) summer food service program may meet the meal service requirements of ((~~subsections (2) and (4)~~)) subsection (3) of this section through any of the following:

(a) Preparing the meals on-site;

(b) Receiving the meals from another school that participates in a United States department of agriculture child nutrition program; or

(c) Contracting with a nonschool entity that is a licensed food service establishment under RCW 69.07.010.

((~~(6) Requirements that school districts have a school lunch, breakfast, or summer nutrition program under this section shall not create or imply any state funding obligation for these costs.~~)) (5) The legislature does not intend to include ((~~these~~)) school lunch, breakfast, or summer food service programs, or the requirements of RCW 28A.235.135, within the state's obligation for basic education funding under Article IX of the state Constitution.

((~~(7) Beginning in the 2021-22 school year, school districts with school lunch programs must eliminate lunch copays for students in prekindergarten through 12th grade who qualify for reduced-price lunches, and the superintendent of public instruction must allocate funding for this purpose.~~

~~(8)~~)) (6) The requirements in this section shall lapse if the federal reimbursement for ((~~any~~)) school breakfasts, lunches, or summer food service programs is eliminated.

((~~(9)~~)) (7) School districts may be exempted from the requirements of this section and RCW 28A.235.135 by showing good cause why they cannot comply with the office of the superintendent of public instruction to the extent that such exemption is not in conflict with federal or state law. The process and criteria by which school districts may be exempted shall be developed by rule and revised if necessary by the office of the superintendent of public instruction in consultation with representatives of school directors, school food service, community-based organizations, and a state organization of parents and teachers.

**Sec.**  RCW 28A.235.250 and 2018 c 271 s 1 are each amended to read as follows:

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

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

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

**Sec.**  RCW 28A.235.270 and 2018 c 271 s 4 are each amended to read as follows:

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

((~~(a) Take any action that would publicly identify a student who cannot pay for a school meal or for meals previously served to the student, including but not limited to requiring the student to wear a wristband, hand stamp, or other identifying marker, or by serving the student an alternative meal;~~

~~(b)~~)) (1) Require a student who cannot pay for ((~~a school meal or for~~)) meals previously served to the student to perform chores or other actions in exchange for a meal or for the reduction or elimination of a school meal debt((~~, unless all students perform similar chores or work;~~

~~(c)~~));

(2) Require a student to dispose of an already served meal because of ((~~the student's inability to pay for the meal or because of~~)) money owed for meals previously served to the student; or

((~~(d)~~)) (3) Allow any disciplinary action that is taken against a student to result in the denial or delay of a nutritionally adequate meal to the student((~~; or~~

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

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

~~(3)(a) A school district shall notify a parent or guardian of the negative balance of a student's school meal account no later than ten days after the student's school meal account has reached a negative balance. Within thirty days of sending this notification, the school district shall exhaust all options to directly certify the student for free or reduced-price meals. Within these thirty days, while the school district is attempting to certify the student for free or reduced-price meals, the student may not be denied access to a school meal unless the school district determines that the student is ineligible for free or reduced-price meals.~~

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

**Sec.**  RCW 28A.235.285 and 2022 c 111 s 1 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall initiate and oversee the development and implementation of a statewide electronic repository of household income information that is required for a student's enrollment in, or eligibility for, the national school lunch program, the school breakfast program, or both programs for the purpose of:

(a) ((~~Removing barriers that diminish access to free and reduced-price meals by students enrolled in eligible schools;~~

~~(b)~~)) Providing parents and legal guardians ((~~of students enrolled in eligible schools~~)) with a voluntary, secure, and convenient online portal for providing household information that is required for participation in the national school lunch program, the school breakfast program, or both programs;

((~~(c)~~)) (b) Providing student household income information to schools and school districts ((~~that provide meals at no charge to students without using school meal applications to determine~~)) for purposes of determining eligibility for low-income programs for students and schools without the use of school meal applications; and

((~~(d)~~)) (c) Ensuring an accessible, simplified process for enrolling students in, and administering, related nutrition programs, including the summer P-EBT program.

(2) In addition to the requirements of this section and other requirements deemed necessary by the superintendent of public instruction, the superintendent of public instruction shall ensure the electronic repository:

(a) Complies with any applicable federal requirements for participation in the national school lunch program, the school breakfast program, or both programs;

(b) Complies with any applicable requirements necessary for schools and school districts to access repository data;

(c) Complies with any applicable standards and requirements necessary to ensure that the repository data connects to the direct certification system and streamlines the process in a manner that maximizes the number of eligible students directly certified for free school meals each month;

(d) Includes robust safeguards, both technically and procedurally, to ensure that the income information provided by parents and legal guardians is secure and accessed only by individuals with express authorization to do so; and

(e) Is accessible online and easily navigable by parents and legal guardians, and in multiple languages, for the purpose of voluntarily providing the pertinent household income data.

(3) Household income information received by the office of the superintendent of public instruction, school employees, school district employees, or their designees in accordance with this section is exempt from disclosure under chapter 42.56 RCW and may not be disseminated except as provided by law.

(4)(a) Beginning in 2022, the office of the superintendent of public instruction shall report annually to the legislature by December 1st on the electronic repository, including: (i) The number of schools and school districts accessing the data of the electronic repository for providing household information that is required for a school's participation in the national school lunch program, the school breakfast program, or both programs; and (ii) recommendations for increasing the number of repository users and improving the technical functionality of the repository.

(b) In lieu of the report contents required in (a) of this subsection, the report required by December 1, 2022, shall include a plan, timeline, and cost estimate for: (i) Implementing the development of the repository; (ii) securing any needed vendors for its development and, if necessary, operation; and (iii) making the repository accessible to schools, school districts, and the public through appropriate electronic interfaces.

(5) For the purposes of this section, "school breakfast program" and "school lunch program" have the same meaning as in RCW 28A.235.160.

**Sec.**  RCW 28A.405.415 and 2023 c 379 s 7 are each amended to read as follows:

(1) Certificated instructional staff who have attained certification from the national board for professional teaching standards shall receive a bonus each year in which they maintain the certification. The bonus shall be calculated as follows: The annual bonus shall be $5,000 in the 2007-08 school year. Thereafter, the annual bonus shall increase by inflation, except that the bonus shall not be increased during the 2013-14 and 2014-15 school years.

(2)(a) Certificated instructional staff who have attained certification from the national board for professional teaching standards shall be eligible for bonuses in addition to that provided by subsection (1) of this section if the individual is in an instructional assignment in a school in which at least 70 percent of the students qualify for the free and reduced-price lunch program.

(b) An individual is eligible for bonuses authorized under this subsection (2) if he or she is in an instructional assignment in a school that meets the definition of high poverty school as defined in rule by the office of the superintendent of public instruction in the school year immediately preceding the school's participation in the United States department of agriculture's community eligibility provision.

(c) For the 2024-25 ((~~and 2025-26~~)) through 2027-28 school years, individuals are eligible for bonuses under this subsection if they are in an instructional assignment in a school providing meals at no charge to students under RCW 28A.235.135 that met the definition of high poverty school as defined in rule by the office of the superintendent of public instruction during the 2022-23 school year.

(3) The amount of the additional bonus under subsection (2) of this section for those meeting the qualifications of subsection (2) of this section is $5,000.

(4) The bonuses provided under this section are in addition to compensation received under a district's salary schedule adopted in accordance with RCW 28A.405.200 and shall not be included in calculations of a district's average salary and associated salary limitations under RCW 28A.400.200.

(5) The bonuses provided under this section shall be paid in a lump sum amount.

NEW SECTION. **Sec.**  RCW 28A.235.260 (Free or reduced-price meals—Student assistance) and 2018 c 271 s 3 are each repealed.

NEW SECTION. **Sec.**  Sections 2 and 9 of this act take effect September 1, 2024.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

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