
HOUSE BILL 2660

State of Washington

66th Legislature

2020 Regular Session

By Representatives Riccelli, Harris, Santos, Shewmake, Leavitt, Steele, Stonier, Hudgins, Senn, Gregerson, Doglio, and Peterson

1 AN ACT Relating to increasing the availability of school meals
2 provided to public school students at no student cost; amending RCW
3 28A.235.290; adding a new section to chapter 28A.235 RCW; and
4 creating a new section.

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

6 NEW SECTION. **Sec. 1.** This act may be known and cited as the
7 hunger-free schools act.

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

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

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

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

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

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

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

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

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

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

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

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

38 (4) Beginning in 2018, the office of the superintendent of public
39 instruction shall report annually the number of schools that have

1 implemented the community eligibility provision to the legislature by
2 December 1st of each year. The report shall identify:

- 3 (a) Any barriers to implementation;
- 4 (b) Recommendations on policy and legislative solutions to
5 overcome barriers to implementation;
- 6 (c) Reasons potentially eligible schools and school districts
7 decide not to adopt the community eligibility provision; and
- 8 (d) Approaches in other states to adopting the community
9 eligibility provision.

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

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

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

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

38 (3) Each school or school district that has an identified
39 students percentage of at least forty percent and less than fifty-one

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

8 (4) For the purposes of this section:

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

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

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