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**Education Committee**

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**HB 1771**

**Brief Description:** Requiring school breakfast programs in certain schools.

**Sponsors:** Representatives McDermott, Nixon, Tom, Santos, Simpson, Chase, Quall and Kenney.

**Brief Summary of Bill**

- Requires school districts, by the 2005-06 school year, to begin school breakfast programs in schools in which more than 40 percent of the students qualify for free or reduced price lunches.
- Requires the Superintendent of Public Instruction (SPI) to consult with certain education interests when adopting the criteria for waiving the requirement that school districts offer school meals in schools that have certain percentages of low-income students.

**Hearing Date:** 2/16/05

**Staff:** Susan Morrissey (786-7111).

**Background:**

Child Nutrition

The federal government, through its child nutrition programs, offers funding to help support school lunch, school breakfast, and summer feeding programs for school children. All school meals served under the federal School Breakfast and National School Lunch Programs receive some level of federal support. Schools that choose to participate in the program receive cash subsidies from the U.S. Department of Agriculture (USDA) for each meal they serve. In return, they must serve meals that meet federal requirements and must offer free or reduced-price meals to eligible children. Federal reimbursements are the highest for free or reduced-price school meals served to low-income students.

Summer feeding programs offer food assistance to children during the summer months when the School Breakfast Program and National School Lunch Program are not operating. The National Summer Food Service Program provides federal funding for lunch programs provided to summer school students.

School Meals in Washington

Until 2004, school districts in Washington could choose whether to offer school lunch and summer feeding programs. The 2004 legislature, through the passage of ESB 6411, required school districts to begin offering school lunch and summer feeding programs if a certain percentage of the students qualify for free or reduced-price meals. Beginning with the 2005-06 school year, school districts must implement a school lunch program in elementary schools serving students in kindergarten through fourth grade if 25 percent of the students in the school qualify for free or reduced price lunches. School districts may obtain a waiver from the requirement under circumstances that have yet to be determined.

School districts that have schools with summer academic, enrichment, or remedial programs must implement a summer food service program that is open to area children if 50 percent of the students in the summer program qualify for free or reduced price lunches. The districts may obtain a waiver from the requirement if there is a compelling reason not to open a summer food program. For schools with existing school lunch programs, summer food service programs must be implemented in the summer of 2005; for other schools, they must be implemented the summer following the implementation of a school lunch program.

The 1993 legislature began the Meals for Kids free and reduced-price breakfast program as part of its education reform package. The program serves breakfast to public school students in districts that choose to participate. During the 1993-94 school year, districts were reimbursed about \$.195 per meal. By the 2003-04 school year, the state reimbursement rate had declined to \$0.12 per meal. SPI attributes the decline to a static biennial appropriation of \$5,000,000, coupled with an increased level of program participation by school districts. SPI has requested an increased appropriation of \$2.6 million dollars to increase the state reimbursement rate to \$.15 per meal for the 2005-07 biennium.

In addition to state funding for school breakfast programs, the federal government provides supplemental funding for the programs through a complex formula. The formula provides \$0.23 for each paying student, \$0.93 for each reduced price meal, and \$1.23 for each free meal. In addition, schools in which forty percent or more of the students qualify for free or reduced price lunches receive an additional \$0.24 cents for each child who qualifies.

Presently, all but 36 school districts offer a school breakfast program. Two hundred and fifty-six schools, not all of them in the 36 districts, do not offer school breakfasts.

### **Summary of Bill:**

School districts will implement school breakfast programs in schools in which more than forty percent of the students qualify for free or reduced price meals. The programs must be implemented by the 2005-06 school year. Schools in which school lunch programs began after the 2003-04 school year must begin a breakfast program by the second year following the commencement of their lunch program if 40 percent of the students qualify for free or reduced price lunches. The districts must annually provide the Superintendent of Public Instruction (SPI) with information that will help determine which schools are required to participate in the breakfast program.

School districts may be exempted from the requirements if they can show SPI good cause for that exemption. SPI will consult with representatives of school directors, school food service,

community-based organizations and the Washington State Parent Teacher Association when designing the process and criteria for the exemptions.

The requirement that districts offer school breakfast and summer nutrition programs does not become a state funding obligation and is not included in basic education. Finally, the terms "school breakfast program" and "severe-need school" are defined.

**Appropriation:** None.

**Fiscal Note:** Requested on February 7, 2005.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.