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**HOUSE BILL 1164**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Riccelli, DeBolt, Stanford, MacEwen, Santos, Reykdal, Holy, Tharinger, Gregerson, Appleton, Bergquist, Senn, Hawkins, Walkinshaw, Ormsby, Farrell, Tarleton, Haler, and Jinkins

AN ACT Relating to equipment assistance grants to enhance student nutrition in public schools; adding a new section to chapter 28A.235 RCW; and creating new sections.

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

NEW SECTION. **Sec.**  This act may be known and cited as the apple a day act of 2015.

NEW SECTION. **Sec.**  The legislature finds healthy eating in childhood and adolescence is important for optimal growth and development. The legislature further finds that states are facing a nutrition crisis that is unprecedented. Childhood obesity and diabetes are serious public health concerns. The legislature further finds that healthy lifestyle habits, including healthy eating and physical activity, can lower the risk of becoming obese and developing diabetes and other related diseases. The legislature further finds that public schools are in a unique position to promote healthy eating, ensure appropriate food and nutrient intake among students, provide students with opportunities to access an array of healthy Washington grown foods throughout the school day, and enable students to learn about and practice healthy eating behaviors. The legislature further finds that many schools across the state lack the necessary equipment and kitchen infrastructure required to support the storage, preparation, and service of minimally processed and whole foods. Therefore, it is the intent of the legislature to establish a competitive equipment assistance grant program for public schools to improve the quality of food service meals that meet federal dietary guidelines, increase the consumption of whole foods, increase awareness of local agriculture, and support the use of modified scratch, from scratch, or other cooking methods that enhance overall student nutrition.

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

(1) A competitive equipment assistance grant program, to be known as the apple a day program, is established to enhance overall student nutrition in public schools.

(2) The superintendent of public instruction must establish a competitive process to prioritize applications for state assistance as follows:

(a) The superintendent of public instruction must conduct a statewide solicitation of project applications from public school districts for common schools and public schools participating in the national school breakfast or the national school lunch program, as determined by the superintendent of public instruction.

(b) The superintendent of public instruction must evaluate and rank applications in consultation with an advisory committee of at least three members of selected organizations concerned with child nutrition, including one Washington school nutrition association representative and one representative from east of the crest of the Cascade mountains, using objective criteria.

(c) The superintendent of public instruction must require applicants to demonstrate, at a minimum, the following:

(i) Use of the proposed equipment will enhance nutrition and improve student access to healthier foods. Applicants must submit current school menus and proposed menus using the requested equipment; and

(ii) Healthy eating and physical activity are actively promoted to students, parents, teachers, and the community.

(3) In evaluating and ranking applications, the superintendent of public instruction shall give funding priority to:

(a) Public schools in which at least fifty percent of the students are eligible for free or reduced-priced meals;

(b) Project applications in which equipment purchases will affect menu changes throughout an entire grade group or school district;

(c) Project applications that provide a dollar-for-dollar match from nonstate sources. Nonstate match may include cash and in-kind contributions, and may be applied to the equipment purchase, labor costs associated with equipment installation or renovation, disposal of old equipment, minor capital improvements required to accommodate the equipment, and staff training costs;

(d) Public schools that can demonstrate nutrition is integrated into core curriculum areas such as math, science, language arts, and physical education, and serving healthy Washington grown food is incorporated into the schools wellness policy;

(e) Public schools that are engaged in farm to school efforts and support Washington farmers by purchasing Washington grown food when available.

(4) For purposes of this section, "equipment" means articles of nonexpendable, tangible personal property with a useful life of at least thirteen years and a per unit acquisition cost of one thousand dollars and may include the purchase of new equipment, renovation of equipment, or replacement of equipment. Minor capital improvements required to accommodate the installation of equipment may also be eligible for state assistance.

(5) In consultation with the advisory committee, the superintendent of public instruction must develop and track specific, quantifiable outcome measures for the grant program. A preliminary report on the outcome measures selected for the program must be submitted to the legislature by January 1, 2016, and a final report on program outcomes by January 1, 2017.

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, 2015, in the omnibus capital appropriations act, this act is null and void.

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