

# SENATE BILL REPORT

## 2SHB 1272

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, March 22, 2019  
Ways & Means, April 9, 2019

**Title:** An act relating to promoting student health and success through adequate school lunch durations.

**Brief Description:** Concerning school lunch durations.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Thai, Harris, Slatter, Ryu, Riccelli, Kilduff, Caldier, Paul, Peterson, Stonier, Shewmake, Appleton, Orwall, Wylie, Gregerson and Pollet).

**Brief History:** Passed House: 3/06/19, 95-1.

**Committee Activity:** Early Learning & K-12 Education: 3/18/19, 3/22/19 [DP-WM, w/oRec].

Ways & Means: 4/09/19 [DPF, DNP, w/oRec].

### Brief Summary of Bill

- Requires the Office of the Superintendent of Public Instruction (OSPI) to designate six public elementary schools as demonstration sites to ensure students have a lunch period that includes a seated lunch duration of at least 20 minutes.
- Directs these sites to share recommendations and best practices and requires OSPI to report findings and recommendations regarding these sites by July 1, 2021.
- Requires the Washington State School Directors' Association to adopt a model policy and procedure regarding seated lunch duration and allows school districts to adopt the model.
- Allows OPSI to provide granting funding to support the demonstration sites and enforce seated lunch duration policies and procedures.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt, McCoy, Pedersen and Salomon.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Hawkins, Ranking Member; Padden and Wagoner.

**Staff:** Ailey Kato (786-7434)

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## SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Kayla Hammer (786-7305)

**Background:** National School Lunch Program. This program is a federally assisted meal program operating in public and nonprofit private schools. It provides free and reduced-price meals to students. Federal regulations encourage schools to provide sufficient lunch periods that are long enough to give all students adequate time to be served and to eat their lunches.

OSPI rules provide that school lunch periods must allow a reasonable amount of time for each child to take care of personal hygiene and enjoy a complete meal.

Office of the State Auditor. This office is conducting a performance audit on lunch scheduling practices, struggles, and successes. The audit will consider which best practices Washington schools can implement to achieve better student outcomes, such as improved behavior and increased consumption of healthy food. The office expects to publish the results of this audit in early summer 2019.

Grant Funding and State Support for Nutrition Programs. To the extent funds are appropriated, OSPI may award grants to school districts to:

- increase awareness of and participation in school breakfast and lunch programs;
- improve program quality;
- promote innovative school-based programs; and
- improve the equipment and facilities used in the programs.

**Summary of Bill:** Demonstration Sites. OSPI must designate six public elementary schools as demonstration sites to implement and evaluate procedures to ensure that students have a lunch period that:

- includes a seated lunch duration of at least 20 minutes for the consumption of their food; and
- is reflective of the time spent traveling to and from the location where lunches are served and the time spent obtaining a lunch.

Seated lunch duration means the time that students have to sit and consume their lunch and does not include travel time.

The demonstration sites must be selected through an application process developed by OSPI and must reflect diversity of school types, locations, and student populations. The application process must allow applicant schools to identify academic and nonacademic

measures they will monitor. A school may not be designated as a demonstration site for less than 90 school days nor more than two school years.

Schools designated as demonstration sites must share recommendations, technical guidance, average seated lunch durations and other applicable data, and best practices.

OSPI must provide technical assistance to schools selected as demonstration sites. OSPI must submit a report with its findings and recommendations by July 1, 2021.

Model Policy and Procedure. By February 14, 2020, the Washington State School Directors' Association must adopt a model policy and procedure that school districts may use to ensure that students have a lunch period that:

- includes a seated lunch duration of at least 20 minutes for the consumption of their food;
- is reflective of the time spent traveling to and from the location where lunches are served and the time spent obtaining a lunch; and
- incorporates, to the extent appropriate and feasible, pertinent recommendations from the Office of the State Auditor.

By the beginning of the 2020-21 school year, school districts may adopt and enforce policies and procedures consistent with the model.

Grant Funding. To the extent funds are appropriated, OSPI may award grants to school districts to implement demonstration sites and adopt and enforce policies and procedures regarding school lunch durations.

**Appropriation:** The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony (Early Learning & K-12 Education):** PRO: Students need enough time to eat their lunch so they can focus on learning. Current regulations do not define an amount of time, and many schools are not meeting the national recommendation of at least 20 minutes. When seated lunch duration is 20 to 25 minutes, students consume more fruits, vegetables, and milk. They have time to make healthier choices. Schools with more students receiving free and reduced-price lunch have shorter seated lunch duration, probably due to longer lunch lines. School districts must identify and find ways to work around scheduling challenges. This bill does not contain mandates and provides school districts with flexibility to determine what works best for their students and scheduling needs. Recess should be scheduled before lunch, so students can socialize and work up an appetite.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Representative My-Linh Thai, Prime Sponsor; Claire Lane, Anti-Hunger and Nutrition Coalition; Amy Ulrich, Washington State PTA; Alexa Halling, Washington State Academy of Nutrition and Dietetics; Angel Planells, Washington State Academy of Nutrition and Dietetics; Caressa Milgrove, parent advocate.

**Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):** No one.

**Staff Summary of Public Testimony (Ways & Means):** PRO: High volume schools have to push through a lot of students in a short period of time. Kids are unable to eat all their lunches and are coming back later in the day hungry. Some kids have anxiety about food because of the lack of time to eat lunch. This is a large problem for all districts. This bill allows districts to learn from best practices and from other districts. There are many concerns that younger kids take a long time to eat, particular when it comes to whole natural foods. This is a non-mandatory program that schools may choose to do. Students need 20 minutes to eat, especially fruits and vegetables. At one school where students have 17 minutes to eat, there is less waste and kids have more time to consume their food. This bill does not mandate anything, but simply allows schools to look at the effect of school lunch duration on student outcomes.

**Persons Testifying (Ways & Means):** PRO: Jessica Rose, PSE/SEIU 1948 intern; Caressa Milgrove, parent advocate; Claire Lane, Anti-Hunger & Nutrition Coalition; Jessica Smiddy, WSPTA; Mitch Denning, Alliance of Educational Associations; Sandra Conradi, Yelm Community Schools, Food Service Director.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.