
SENATE BILL 6672

State of Washington

66th Legislature

2020 Regular Session

By Senator Walsh

1 AN ACT Relating to feeding all children in Washington schools;
2 and adding new sections to chapter 28A.235 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.235
5 RCW to read as follows:

6 (1)(a) School districts shall maximize access to federal funds
7 for the school breakfast and lunch programs under the United States
8 department of agriculture community eligibility provision, provision
9 2 under 7 C.F.R. Part 245, or this act.

10 (b) In addition, each school board operating a public school
11 shall operate within each school in the school district the same
12 school lunch and the same school breakfast program made available to
13 students who qualify for those meals under the Richard B. Russell
14 national school lunch act, 42 U.S.C. Sec. 1759a, and the national
15 child nutrition act, P.L. 89-642, each as amended, to each attending
16 student every school day at no charge.

17 (c) Each student shall have access to one federally reimbursable
18 meal per meal service.

19 (2) In operating its school breakfast and lunch program, a school
20 district shall seek to achieve the highest level of student
21 participation, which may include: (a) Providing breakfast meals that

1 can be picked up by students; (b) making breakfast available to
2 students in classrooms after the start of the school day; or (c)
3 collaborating with the office of the superintendent of public
4 instruction in planning school meals.

5 (3) Each school district shall request the parent or guardian of
6 each student to complete the household income survey provided by the
7 office of the superintendent of public instruction, which is used to
8 determine a family's economic status to determine eligibility for
9 various state and federal programs. This requirement does not apply
10 if the school district obtains equivalent information through
11 different means.

12 (4) Each school district must allow for parents to opt out of
13 eligibility for reasons including, but not limited to, food choice,
14 allergy, religious objection, or other considerations deemed
15 appropriate by the office of the superintendent of public
16 instruction.

17 (5) To the extent that costs are not reimbursed through federal
18 funds or other sources, the office of the superintendent of public
19 instruction must bear the cost of making available school lunches and
20 breakfasts through the school hunger reinvestment account created in
21 section 2 of this act.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.235
23 RCW to read as follows:

24 (1) The school hunger reinvestment account is created in the
25 state treasury. Moneys in the account may be spent only after
26 appropriation. Moneys in the account may be used only for expanding
27 access to school lunches and breakfasts that are free to students
28 with priority given first to:

29 (a) Schools with more than forty percent of students qualified
30 for free or reduced-price school meals;

31 (b) Schools or clusters of schools with an identified student
32 percentage of more than forty percent and less than sixty-two and
33 one-half percent that are eligible to use the United States
34 department of agriculture community eligibility provision; and

35 (c) Districts that offer breakfast after the bell as defined in
36 RCW 28A.235.210.

37 (2) Revenues to the school hunger reinvestment account consist
38 of:

1 (a) Savings to the state general fund resulting from unspent
2 copays for reduced-price school breakfast and reduced-price school
3 lunch for students in kindergarten through third grade in schools
4 that use the community eligibility provision;

5 (b) Savings and revenues resulting from receipt or procurement of
6 federal grants and goods provided by the food and nutrition service
7 of the United States department of agriculture;

8 (c) Savings related to reduced enrollment and per capita costs
9 for the office of the superintendent of public instruction, as
10 calculated and transferred into the account under this section; and

11 (d) Any other public or private funds appropriated to or
12 deposited in the account.

13 (3)(a) The office of the superintendent of public instruction, in
14 collaboration with the office of financial management, shall develop
15 a methodology for calculating the savings under this section. The
16 methodology must be used for the 2019-2021 fiscal biennium, and for
17 each biennium thereafter. The methodology must establish a baseline
18 for calculating savings. The savings must be based on actual
19 enrollment and per capita expenditures. By December 1, 2020, the
20 department shall submit the proposed methodology to the governor and
21 the appropriate committees of the legislature. The methodology is
22 approved unless the legislature enacts legislation to modify or
23 reject the methodology.

24 (b) The department shall use the methodology created in (a) of
25 this subsection to calculate savings to the state general fund and
26 other accounts for transfer into the school hunger reinvestment
27 account in fiscal year 2021 and each fiscal year thereafter. Savings
28 calculated by the office of the superintendent of public instruction
29 under this section are not subject to RCW 43.79.460. The
30 superintendent shall report the amount of the state general fund
31 savings achieved to the office of financial management and the fiscal
32 committees of the legislature at the end of each fiscal year. The
33 office of financial management shall provide notice to the state
34 treasurer of the amount of state general fund savings, as calculated
35 by the department, for transfer into the school hunger reinvestment
36 account.

37 (4) Nothing in this section prohibits:

38 (a) The superintendent of public instruction from seeking or
39 engaging in public-private partnerships intended to generate or

1 increase revenues to be deposited in the school hunger reinvestment
2 account; or

3 (b) School districts from seeking grants from federal and private
4 partners to fund or augment funding for federally reimbursable meals
5 and food service costs.

--- **END** ---