

E2SHB 1238 - S AMD TO WM COMM AMD (S-3007.1/23) **417**
By Senator Wellman

ADOPTED 04/11/2023

1 On page 26, after line 20, insert the following:

2 "Sec. 8. RCW 28A.235.300 and 2022 c 7 s 1 are each amended to
3 read as follows:

4 (1)(a) Except as provided otherwise by this section, each public
5 school that has an identified student percentage of at least 40
6 percent (~~(, or an identified student percentage of less than 40~~
7 ~~percent if authorized by federal law,~~) as determined annually by
8 April 1st, must participate in the United States department of
9 agriculture's community eligibility provision in the subsequent
10 school year and throughout the duration of the community eligibility
11 provision's four-year cycle.

12 (b) School districts, to the extent practicable, shall group
13 public schools for purposes of maximizing the number of public
14 schools eligible to participate in the community eligibility
15 provision. Individual schools participating in a group may have less
16 than 40 percent identified students, provided the average identified
17 student percentage for the group is at least 40 percent.

18 (2) Public schools that, through an arrangement with a local
19 entity, provide meals to all students and at no costs to the students
20 are exempt from the requirements of this section.

21 (3) This section governs school operation and management under
22 RCW 28A.710.040 and 28A.715.020, and applies to charter schools
23 established under chapter 28A.710 RCW and state-tribal education
24 compact schools established under chapter 28A.715 RCW to the same
25 extent as it applies to public schools and school districts.

26 (4) For the purposes of this section, "identified student" means
27 a student who is directly certified for free school meals based on
28 the student's participation in other means-tested assistance
29 programs, and students who are categorically eligible for free school
30 meals without an application and not subject to income verification."

1 Renumber the remaining sections consecutively and correct any
2 internal references accordingly.

3 On page 27, beginning on line 2, after "28A.150.260," strike "and
4 28A.405.415" and insert "28A.405.415, and 28A.235.300"

EFFECT: Removes language that requires public schools to participate in the Community Eligibility Provision when they have an identified student percentage of less than 40 percent if authorized by federal law.

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