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SENATE BILL 5798

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State of Washington

67th Legislature

2022 Regular Session

By Senator C. Wilson

1 AN ACT Relating to increasing public school participation in the  
2 community eligibility provision of the United States department of  
3 agriculture; amending RCW 28A.235.300; and creating a new section.

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

5 **Sec. 1.** RCW 28A.235.300 and 2020 c 288 s 3 are each amended to  
6 read as follows:

7 (1) (a) Except as provided otherwise by this section, each public  
8 school (~~((with students in or below grade eight))~~) that has an  
9 identified student percentage of at least (~~((sixty-two and one-half))~~)  
10 40 percent, or an identified student percentage of less than 40  
11 percent if authorized by federal law, as determined annually by April  
12 1st, must participate in the United States department of  
13 agriculture's community eligibility provision in the subsequent  
14 school year and throughout the duration of the community eligibility  
15 provision's four-year cycle.

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

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

4           (3) This section governs school operation and management under  
5 RCW 28A.710.040 and 28A.715.020, and applies to charter schools  
6 established under chapter 28A.710 RCW and state-tribal education  
7 compact schools established under chapter 28A.715 RCW to the same  
8 extent as it applies to public schools and school districts.

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

14           NEW SECTION.   **Sec. 2.** If specific funding for the purposes of  
15 section 1 of this act, referencing section 1 of this act by bill or  
16 chapter number and section number, is not provided by June 30, 2022,  
17 in the omnibus operating appropriations act, section 1 of this act is  
18 null and void.

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