

OSPI Child Nutrition Services Reference Sheet

Hunger-Free Schools Act – House Bill 2660 (2020) – Impact on CEP and State Funding

The Washington State legislature passed the Hunger-Free Schools Act during the 2020 legislative session. The requirements of this new state law became effective starting the 2021–22 school year. The legislation amended RCW 28A.235.290, 28A.150.260, and 28A.405.415.

CEP Requirement

Beginning in the 2021–22 School Year, certain Elementary and Middle Schools will be required to operate the USDA Community Eligibility Provision (CEP).

- ✓ Schools that serve students in or below grade 8 and have an Identified Student Percentage (ISP) of 62.5% must operate CEP for each year that the ISP remains above 62.5%.
- ✓ The ISP is calculated as of April 1 each year and is the percentage of Identified Students (students directly certified as eligible for free school meals) divided by the total enrollment of students
- ✓ Schools that provide meals to all students at no cost through an arrangement with a local entity are exempt from this requirement.

Learning Assistance Program (LAP) Modifications

- ✓ The Hunger-Free Schools Act also modified the way that Learning Assistance Program funding is calculated for CEP schools and districts. [RCW 28A.150.260 \(10\)\(a\)](#)
- ✓ **LAP Base Hold Harmless – District Allocation**
 - Districts are eligible for this alternative calculation if they have at least one school operating CEP.
 - When calculating LAP Base funding each year, OSPI will use the greater Free and Reduced-Price Lunch Percentage (FRP) from two data sources. Either;
 1. The District FRP from the previous year (standard method), or
 2. The District FRP from the year immediately preceding the district's enrollment, in whole or in part, in CEP.



- Example:
 “District A” joined CEP in the 2021–22 School Year. For SY 2022–23 LAP funding allocation OSPI will review both the prior year data *and* data from the year before CEP adoption, SY 2020–21.

The LAP Base Allocation will be based on the *greater* of these two options:

School Year	Existing Law (Use prior year data)	New Option (Continue using pre-CEP data)
SY 2021–22 (CEP Year 1)	Data from 2020–21- 57.51%	Data from 2020–21 (Pre-CEP)- 57.51%
SY 2022–23 (CEP Year 2)	Data from 2021–22- 40.41%	Data from 2020–21 (Pre-CEP)- 57.51%
SY 2023–24 (CEP Year 3)	Data from 2022–23- <i>Unknown</i>	Data from 2020–21 (Pre-CEP)- 57.51%
SY 2024–25 (CEP Year 4)	Data from 2023–24- <i>Unknown</i>	Data from 2020–21 (Pre-CEP)- 57.51%

In this instance, OSPI will use the data from 2020–21 (57.51%) as it’s greater than the 2021–22 data (40.41%). This practice of comparing and using the greater number will continue each year as long as the district operates CEP in at least one school.

Note: If an LEA leaves CEP entirely and then re-joins at a later date, the “year immediately preceding” refers to the year before the latest CEP adoption, not the original adoption.

✓ **LAP High Poverty Hold Harmless – School Allocation**

- Schools that were eligible for LAP High Poverty in the year immediately before CEP maintain this eligibility as long as the school remains on CEP.
- Example:
 “School A” was eligible for LAP High Poverty funding in School Year 2019–20. The following year they joined CEP. School A maintains LAP High Poverty eligibility as long as they remain on CEP, even if their underlying FRP drops below the threshold for eligibility in the future.

National Board-Certified Teacher Bonus

- ✓ Teachers remain eligible for the “High Poverty” bonus if they teach at a school that met the qualifications of a “High Poverty School” in the year immediately preceding the school’s participation in CEP.

Reference:

- [House Bill 2660 \(2020\)](#)
- [RCW 28A.235.290](#)
- [RCW 28A.150.260](#)
- [RCW 28A.405.415](#)

Acronym Reference

- CEP- Community Eligibility Provision
- CNS- Child Nutrition Services
- FRP- Free and Reduced-Price Lunch Percentage
- ISP- Identified Student Percentage
- LAP- Learning Assistance Program
- NSLP- National School Lunch Program
- OSPI- Office of Superintendent of Public Instruction
- RCW- Revised Code of Washington
- SY- School Year
- USDA- United States Department of Agriculture