

PERFORMANCE AUDIT



Office of the
Washington
State Auditor
Pat McCarthy

School Nutrition: Following up on lunch scheduling guidance

January 21, 2025

Report Number: 1036526

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State Auditor’s Office contacts

State Auditor Pat McCarthy

564-999-0801, Pat.McCarthy@sao.wa.gov

Scott Frank – Director of Performance and IT Audit

564-999-0809, Scott.Frank@sao.wa.gov

Justin Stowe – Assistant Director for Performance Audit

564-201-2970, Justin.Stowe@sao.wa.gov

Tania Fleming – Principal Performance Auditor

564-999-0823, Tania.Fleming@sao.wa.gov

Holland Kitchell – Audit Lead

564-999-0842, Holland.Kitchell@sao.wa.gov

Kathleen Cooper – Director of Communications

564-999-0800, Kathleen.Cooper@sao.wa.gov

To request public records

Public Records Officer

564-999-0918, PublicRecords@sao.wa.gov

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State Auditor's Conclusions

In order to learn, all children need time to eat and time to play. Our 2019 performance audit showed schools can improve students' nutrition not only through what food they serve, but also how they schedule mealtimes. Making sure students have at least 20 minutes to eat their lunches, preferably after they have had time to play during recess, means they will eat more healthy food and feel better through the school day.

This performance audit follows up on our recommendations of five years ago and finds that work toward better lunchtimes has recently restarted. The Office of Superintendent of Public Instruction (OSPI) began the process of establishing a 20-minute minimum for seated lunch time in 2019 – but those efforts were sidetracked by the global pandemic that began in 2020. The delay is understandable. The pandemic upended all aspects of our daily lives, but our schools were tremendously disrupted by the need to an abrupt switch to remote learning, then the gradual return to in-person instruction.

Nonetheless, giving children enough time to eat properly is an important issue, one that parents have again raised in the post-pandemic environment. While scheduling the school day is always a challenge, I encourage OSPI and individual school districts to pursue these two promising goals – ensuring our students have 20 minutes to eat their lunch and serving lunch after active time at recess.

Background

School mealtime experiences can influence student eating habits

Healthy mealtime experiences help schoolchildren develop good eating habits that will last through adulthood. Researchers who study meals in school settings often frame their work around two related issues:

- Strategies that encourage children to eat more of their food at mealtimes
- How the timing of meals and play during the school day affect student behavior and educational outcomes

Studies have found that students who have more time for lunch and recess before lunch eat more healthfully, waste less food and display better behavior. In fiscal year 2022-23, the federal government spent more than \$600 million in Washington alone on various childhood nutrition programs designed to serve nutritious meals to school-age children and promote lifelong healthful living.

Elementary schools are especially important because most children eat at least one meal a day there

How schools schedule meals and the food they serve can improve overall student health or inadvertently contribute to poor eating habits, with unhealthy consequences in the classroom or later in life. Schools are expected to maintain an environment that is conducive to learning, and how schools schedule student meals is an important factor in how alert and ready to learn a child will be in the classroom. Aside from the content of school menus, parents, educators and health professionals have expressed concerns about the scheduling of student mealtime.

While U.S. Department of Agriculture standards regulate the types of food schools serve, individual schools have considerable leeway in how they approach scheduling. The lunch period may be cut short in favor of allowing more time for other goals and objectives related to instruction. Schools may also face constraints in space or staffing that affect their scheduling decisions.

Many Washingtonians are concerned that some elementary school children lack sufficient time to eat once seated at the lunch table. This can happen because the scheduled time is too short, the line for food is too long, or the urge to rush out to recess is too strong. Research shows that when students are given more time to eat, they tend to waste less food and consume more nutrients.

The Office of Superintendent of Public Instruction plays a role in influencing student lunch practices

OSPI is the primary agency charged with oversight of Washington's K-12 public education, including ensuring schools adhere to federal nutrition standards for food served in schools. This agency works with the state's 295 school districts to administer basic education programs and implement education reform on behalf of public school students. However, each school district is an independent local government with elected school board members. School boards have the authority to determine district policies, which often govern school lunch schedules.

This audit examined three previous audit recommendations to OSPI related to helping schools implement leading practices

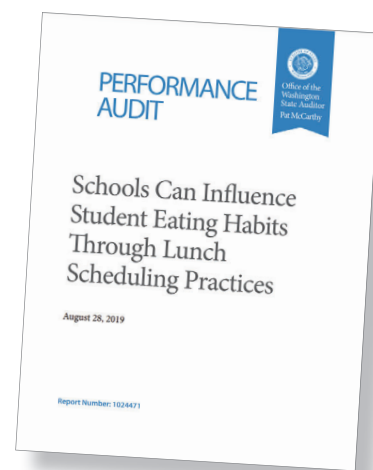
In 2019, we published a performance audit examining issues around school lunch scheduling titled: *Schools Can Influence Student Eating Habits Through Lunch Scheduling Practices* (see sidebar for link). The audit compared lunch practices at Washington elementary schools to two leading practices: having at least 20 minutes of seated lunchtime and scheduling recess before lunch. Most schools we surveyed or observed did not apply either practice.

This audit followed up on recommendations that audit made to determine whether OSPI has updated its regulations and worked with schools to address barriers to implementing leading practices. This audit answered the following question:

- What steps has the Office of Superintendent of Public Instruction taken since our 2019 audit to implement recess before lunch and a 20-minute minimum seat time for lunch?

Next steps

Our performance audits of state programs and services are reviewed by the Joint Legislative Audit and Review Committee (JLARC) and/or by other legislative committees whose members wish to consider findings and recommendations on specific topics. Representatives of the Office of the State Auditor will review this audit with JLARC's Initiative 900 Subcommittee in Olympia. The public will have the opportunity to comment at this hearing. Please check the JLARC website (leg.wa.gov/about-the-legislature/committees/joint/jlarc-i-900-subcommittee/) for the exact date, time and location. The Office conducts periodic follow-up evaluations to assess the status of recommendations and may conduct follow-up audits at its discretion. See **Appendix A**, which addresses the I-900 areas covered in the audit. **Appendix B** contains information about our methodology.



Read the report on our website:
<https://portal.sao.wa.gov/ReportSearch/Home/ViewReportFile?arn=1024471&isFinding=false&sp=false>

Summary of past recommendations and 2024 audit results

Exhibit 1 – Summary table of previous recommendations to OSPI and 2024 audit results

WAC: Washington Administrative Code

Original recommendations	Status	Summary of 2024 results
1. Update the WAC related to seat time during lunch, changing a “reasonable” amount of time for a student to enjoy a meal to a defined minimum amount that aligns with leading practices	In progress	OSPI initiated the rulemaking process to adopt a 20-minute seated lunchtime in late 2019, but it was delayed due to the COVID-19 pandemic. OSPI restarted the process in August 2024 but has not yet completed the revision to WAC. (see page 7)
2. Develop and share guidance to help schools overcome barriers to implementing a minimum of 20 minutes of seat time during lunch for every student and scheduling recess before lunch	In progress	<p>20-minute seated lunchtime. OSPI staff have not developed any guidance for 20-minute seated lunchtime because they have yet to update the seated lunchtime rule. (see page 8)</p> <p>Recess before lunch. OSPI promoted recess before lunch in its spring 2024 bulletin to school officials, but it does not plan to develop any guidance at this time. (see page 9)</p>
3. Work with stakeholders and advocacy groups to identify solutions to help schools overcome the barriers to 20 minutes of seat time and recess before lunch as identified in the audit	In progress	<p>20-minute seated lunchtime. OSPI staff have met with stakeholders and said they will address any concerns as part of its process to define the minimum amount of seated lunchtime. (see page 10)</p> <p>Recess before lunch. Staff said they have also talked with various stakeholders about scheduling recess before lunch, but to a lesser extent than 20-minutes seated lunchtime. (see page 10)</p>

Audit Results

OSPI shows progress on a rule for seated lunchtime, but less so on guidance around scheduling recess before lunch

The 2019 audit recommendations included a list of stakeholders and advocacy groups that the Office of Superintendent of Public Instruction (OSPI) should consider working with as it developed its plans around school lunch practices. These organizations are listed in the sidebar. This audit sought to determine whether OSPI implemented the previous recommendations; to do so, we interviewed agency staff and reviewed documents that supported the actions they said they had taken.

- Association of Washington School Principals
- Early Learning & K-12 Education Committee representatives
- Washington Association of School Administrators
- Washington Education Association
- Washington School Nutrition Association
- Washington State Parent-Teacher Association
- Washington State School Directors Association

OSPI is in the early stages of proposing 20 minutes of seat time for lunch as a statewide rule

Original recommendation	Status
Update the WAC related to seat time during lunch, changing a “reasonable” amount of time for a student to enjoy a meal to a defined minimum amount that aligns with leading practices.	In progress

Recommendation: Revise state rules to define a minimum amount of seated lunchtime – In progress

OSPI’s rule (WAC 392-157-125) for seated lunchtime did not specify how much time schools should give to students to eat, saying only that it should be “reasonable.” Lacking a definition of reasonable, schools could set lunch seat times to accommodate other priorities, such as instructional time and required break periods for teachers. However, these decisions may not have aligned with leading practices that advise 20 minutes of seated time to eat. From its survey results and interviews with school principals, the previous audit learned that about half of those interviewed believed they allowed enough time for children to eat lunch. As a general practice, the audit found schools did not allocate 20 minutes of seat time for lunch.

OSPI initiated work on adopting the 20-minute seated lunchtime rule in late 2019, but its efforts were delayed due to the pandemic. A pilot program, begun in the 2019-20 school year, was put on hold when all schools closed in March 2020. OSPI focused on helping schools provide instructional and other essential services while in-person instruction was halted. OSPI staff also said that they were also managing supply chain issues, staffing shortages and other issues into 2023. These continued to divert agency resources away from rulemaking activities, including developing the 20-minute seated lunchtime rule.

In August 2024, OSPI restarted the process to update its rules to require that schools allow a minimum of 20 minutes for seated lunchtime. At the time we wrote this report, the agency planned to hold a public meeting in January 2025 at which school officials and the public could provide feedback on the proposed change. If the proposed change to the WAC is accepted, it would require schools to implement the 20-minute seated lunchtime rule starting in the 2025-26 school year.

OSPI is proposing a new seated lunchtime rule that could prompt new guidance, but has offered only minimal information about scheduling recess before lunch

Original recommendation	Status
Develop and share guidance to help schools overcome barriers to implementing a minimum of 20 minutes of seat time during lunch for every student and scheduling recess before lunch.	In progress

Recommendation: Develop and share guidance around both 20 minutes of seated lunch time and scheduling recess before lunch – In progress

OSPI periodically issues written guidance and clarification around its rules to help school and district officials comply with state regulations. In some cases, the agency instead provides less formal tips and advice about fulfilling state requirements through its website and newsletters to schools and districts.

20-minute seated lunchtime. OSPI staff have yet to develop any written guidance for 20-minute seated lunchtime because they are still in the process of gathering feedback on the benefits, barriers and challenges to doing so through stakeholder and public comment. Although written materials are not available, they have started planning possible ways of distributing the guidance when it is ready. OSPI staff said some options include a bulletin to school officials, webinars and one-on-one technical assistance.

Recess before lunch. While OSPI has the authority to make scheduling recess before lunch a requirement, agency staff said they do not plan to at this time because of the scheduling challenges schools already face. School principals in the previous audit described competing demands that prevented them from scheduling recess before lunch, such as ensuring sufficient instructional time and mandatory breaks for teachers. Some said they had too few available supervisory staff to monitor recess and lunch. In addition, some schools had limited bathroom facilities, which can create bottlenecks when students need to wash their hands after coming in from recess.

OSPI does not plan to develop and issue guidance for scheduling recess before lunch. OSPI recommended recess before lunch in its spring 2024 bulletin to school officials (**Exhibit 2**), but staff said they have not prepared any guidance because schools set their own schedules.

Exhibit 2 – OSPI provided advice but not a requirement about scheduling recess before lunch

Recess Requirements

Starting with the 2024–25 school year (SY), public schools must provide at least 30 minutes of daily recess within the school day for all students in grades kindergarten through five and students in grade six who attend elementary school.

- Public schools may offer extra recess before or after school, but this time cannot fulfill the daily 30-minute requirement during the school day.
- Time spent changing clothes for outdoor play cannot count towards the mandated recess duration.
- Recess must be supervised, and student directed, aiming for safety, inclusivity, and quality. It may include organized games but should avoid the use of computers, tablets, or phones.
- Recess should be held outdoors whenever possible. If indoors, schools should use appropriate spaces promoting physical activity.
- Daily recess cannot substitute for meeting physical education requirements outlined in [RCW 28A.230.040](#).
- **Recess should be scheduled before lunch whenever possible.**
- Recess should not be withheld as a disciplinary action except when there is an immediate threat to safety.
- Recess should not be withheld as an academic intervention or support.

Source: OSPI Bulletin 025-24.

Instead of developing and issuing guidance, OSPI could distribute existing resources, such as materials developed by the Institute of Child Nutrition, and examples of schools that have overcome scheduling challenges, including those from our previous school nutrition audit.

OSPI's work with stakeholders has focused on seated lunchtime, less so on recess scheduling

Original recommendation	Status
Work with stakeholders and advocacy groups to identify solutions to help schools overcome the barriers to 20 minutes of seat time and recess before lunch as identified in the audit.	In progress

Recommendation: Work with stakeholders and others to identify solutions to scheduling barriers – In progress

20-minute seated lunchtime. OSPI has met with stakeholders and will address their concerns about 20-minute seated lunchtime as part of its efforts to update the WAC. OSPI staff provided updates to stakeholders and received feedback over the last six months, including presentations to the Washington Association of School Business Officials and the Washington School Nutrition Association. OSPI staff said they will work with stakeholders to address any concerns about 20-minute seated lunchtime that they raise during the public comment period for updating the WAC.

Recess before lunch. OSPI staff said they have also discussed scheduling recess before lunch with stakeholders, but to a lesser extent than the 20-minute seated lunchtime. While staff encourage schools to adopt it as a best practice, they said they place less emphasis on it because they acknowledge the challenges schools face in accommodating this practice, such as already crowded schedules and limited staffing to monitor recess.

Recommendations

This audit makes no new recommendations.

Agency Response

Old Capitol Building
PO Box 47200
Olympia, WA 98504-7200

ospi.k12.wa.us



Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

January 16, 2025

The Honorable Pat McCarthy
Washington State Auditor
Insurance Building, Capitol Campus
302 Sid Snyder Avenue SW
Olympia, WA 98504-0021

Re: Response to Performance Audit on Lunch Scheduling Guidance

Dear Auditor McCarthy:

Thank you for the opportunity to review and respond to the *School Nutrition: Following up on Lunch Scheduling Guidance* Performance Audit on behalf of the Office of Superintendent of Public Instruction (OSPI). We agree with the State Auditor's Office (SAO) that students who have access to nutritious meals, and adequate time to consume those meals, are better equipped to meet educational milestones.

Following SAO's initial performance audit in summer 2019, *Schools Can Influence Student Eating Habits Through Lunch Scheduling Practices*, OSPI initiated the rulemaking process to adopt a 20-minute seated lunchtime as recommended by SAO. Due to the COVID-19 pandemic, those rulemaking efforts have been suspended since 2020. My office's efforts post-pandemic have focused on supporting schools through significant supply chain issues and effectively implementing new state initiatives and federal program changes.

OSPI has recently restarted the rulemaking process. We received over 150 written comments and numerous individuals testified during a two-hour public hearing. Based on the feedback shared during the hearing and our initial review of written responses, there is overwhelming support for ensuring students have adequate time to consume meals. However, there are significant concerns about the feasibility of implementing the proposed rule within existing resources.

Commenters highlighted several challenges, including the potential loss of instructional time, the need to extend the school day, increased staffing costs associated with lunchtime supervision and a longer school day, and the need for additional or expanded facilities to

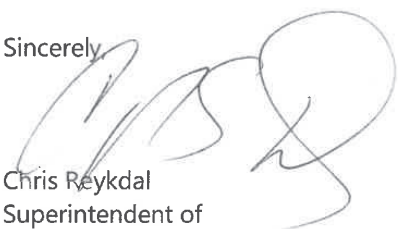
The Honorable Pat McCarthy
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accommodate students during lunchtime. OSPI must carefully consider all responses before making a final determination regarding the adoption of the proposed rule.

Regardless of the outcome, OSPI intends to develop and provide resources to support schools in implementing schedules that support students having adequate time to eat their meals.

Thank you for your continued partnership. Please do not hesitate to reach out to my office with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Reykdal", written over a light blue horizontal line.

Chris Reykdal
Superintendent of
Public Instruction

Appendix A: Initiative 900 and Auditing Standards

Initiative 900 requirements

Initiative 900, approved by Washington voters in 2005 and enacted into state law in 2006, authorized the State Auditor’s Office to conduct independent, comprehensive performance audits of state and local governments.

Specifically, the law directs the Auditor’s Office to “review and analyze the economy, efficiency, and effectiveness of the policies, management, fiscal affairs, and operations of state and local governments, agencies, programs, and accounts.” Performance audits are to be conducted according to U.S. Government Accountability Office government auditing standards.

In addition, the law identifies nine elements that are to be considered within the scope of each performance audit. The State Auditor’s Office evaluates the relevance of all nine elements to each audit. The table below indicates which elements are addressed in the audit. Specific issues are discussed in the Results and Recommendations sections of this report.

I-900 element	Addressed in the audit
1. Identify cost savings	No.
2. Identify services that can be reduced or eliminated	No.
3. Identify programs or services that can be transferred to the private sector	No.
4. Analyze gaps or overlaps in programs or services and provide recommendations to correct them	No.
5. Assess feasibility of pooling information technology systems within the department	No.

I-900 element	Addressed in the audit
6. Analyze departmental roles and functions, and provide recommendations to change or eliminate them	No.
7. Provide recommendations for statutory or regulatory changes that may be necessary for the department to properly carry out its functions	Yes. This audit followed up on a previous recommendation that OSPI update the WAC rule to specify the amount of seated time students should have for lunch.
8. Analyze departmental performance data, performance measures and self-assessment systems	No.
9. Identify relevant best practices	Yes. The audit followed up on previous recommendations to implement leading practices in two areas: scheduling at least 20 minutes of seated time for students to eat lunch and scheduling recess before lunch.

Compliance with generally accepted government auditing standards

We conducted this performance audit under the authority of state law (RCW 43.09.470), approved as Initiative 900 by Washington voters in 2005, and in accordance with generally accepted government auditing standards as published in *Government Auditing Standards* (July 2018 revision) issued by the U.S. Government Accountability Office. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The mission of the Office of the Washington State Auditor

To provide citizens with independent and transparent examinations of how state and local governments use public funds, and develop strategies that make government more efficient and effective. The results of our work are widely distributed through a variety of reports, which are available on our website and through our free, electronic [subscription service](#). We take our role as partners in accountability seriously. We provide training and technical assistance to governments and have an extensive quality assurance program. For more information about the State Auditor's Office, visit www.sao.wa.gov.

Appendix B: Objectives, Scope and Methodology

Objectives

The purpose of this performance audit was to answer the following question:

- What steps has the Office of Superintendent of Public Instruction taken since our 2019 audit to implement recess before lunch and a 20-minute minimum seat time for lunch?

Scope

The audit evaluated whether OSPI has implemented recommendations from the previous School Nutrition audit. These recommendations were:

1. Update the WAC related to seat time during lunch, changing a “reasonable” amount of time for a student to enjoy a meal to a defined minimum amount that aligns with leading practices.
2. Develop and share guidance to help schools overcome barriers to implementing a minimum of 20 minutes of seat time during lunch for every student and scheduling recess before lunch.
3. Work with stakeholders and advocacy groups to identify solutions to help schools overcome the barriers to 20 minutes of seat time and recess before lunch as identified in the audit. Consider working with the following groups:
 - Association of Washington School Principals
 - Early Learning & K-12 Education Committee representatives
 - Washington Association of School Administrators
 - Washington Education Association
 - Washington School Nutrition Association
 - Washington State Parent-Teacher Association
 - Washington State School Directors Association

The audit did not evaluate recommendations made to school districts in the previous audit. We also did not evaluate whether any additional school districts have implemented 20 minutes of seated lunchtime or recess before lunch since the previous audit.

Methodology

We obtained the evidence used to support the findings and conclusions in this audit report during our fieldwork period in October 2024. To address this audit's objective, we used the following audit methodologies:

- Reviewed OSPI's webpage to determine its progress in updating the WAC to specify a 20-minute seated lunchtime for elementary students
- Interviewed OSPI staff to understand OSPI's progress toward implementing recommendations from the 2019 School Nutrition audit
- Reviewed documentation, including bulletins and presentations, to better understand how OSPI has provided guidance and collaborated with stakeholders to implement 20 minutes of seated lunchtime and recess before lunch.

Work on internal controls

We assessed internal controls relevant to OSPI's role in the two lunch scheduling practices, 20 minutes of seated lunch time and scheduling recess before lunch. This included reviewing the WAC and any guidance that OSPI developed for schools. We did not evaluate the implementation of control components or assess the effectiveness of the internal control system.



“Our vision is to increase **trust** in government. We are the public’s window into how tax money is spent.”

– Pat McCarthy, State Auditor

Washington State Auditor’s Office
P.O. Box 40031 Olympia WA 98504

www.sao.wa.gov

1-564-999-0950



Office of the Washington State Auditor
Pat McCarthy