
SECOND SUBSTITUTE HOUSE BILL 1893

State of Washington

66th Legislature

2019 Regular Session

By House Appropriations (originally sponsored by Representatives Entenman, Leavitt, Pollet, Paul, Stanford, and Valdez)

READ FIRST TIME 03/01/19.

1 AN ACT Relating to providing assistance for postsecondary
2 students, such as access to food or transportation, to help those
3 students remain enrolled; adding a new section to chapter 28B.50 RCW;
4 adding new sections to chapter 43.20A RCW; creating new sections; and
5 providing a contingent expiration date.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.50
8 RCW to read as follows:

9 (1)(a) Subject to availability of amounts appropriated for this
10 specific purpose, the emergency assistance grant program is
11 established to provide students of community and technical colleges
12 monetary aid to assist students experiencing unforeseen emergencies
13 or situations that affect the student's ability to attend classes.

14 (b) The college board shall administer the competitive grant
15 program in accordance with this section.

16 (2) The college board shall establish eligibility criteria for
17 community and technical colleges to apply for grants under the grant
18 program. At a minimum, to be eligible for a grant, a community or
19 technical college must:

20 (a) Demonstrate the need for grant funds. Demonstrating need may
21 include producing demographic data on student income levels, the

1 number of students experiencing food insecurity or homelessness, the
2 number of students who meet the definition of "needy student" under
3 RCW 28B.92.030, the number of students accessing the college's food
4 pantry, if one is available, and other information specific to the
5 student population;

6 (b) Ensure that students' access to emergency aid funds will be
7 as low barrier as possible and will not require the student to have
8 to fill out the free application for federal student aid to receive
9 emergency funds. However, the college must require the student to
10 request assistance in writing;

11 (c) Allow flexibility in which students may apply for emergency
12 aid funds. Students who may not meet the definition of "needy
13 student" but who may be experiencing emergency situations must be
14 able to apply for emergency aid funds; and

15 (d) Indicate how the college will prioritize the disbursement of
16 emergency aid funds.

17 (3) In selecting grant recipients, the college board must
18 consider a community or technical college's demonstration of need and
19 the resources and programs already in existence at the college.

20 (4) A community or technical college shall use grant funds to
21 provide students emergency aid in the form of monetary grants to
22 assist the student in, for example, purchasing food, paying utilities
23 or rent, paying for transportation, child care, or other goods or
24 services that the student needs in order to continue to attend
25 classes. Emergency aid under the grant program is considered a grant
26 and a student is not required to reimburse the community or technical
27 college.

28 (5) The college board must begin accepting applications for the
29 grant program by December 1, 2019.

30 (6) The college board shall submit a report to the appropriate
31 committees of the legislature beginning December 1, 2020, and each
32 December 1st thereafter. At a minimum, the report must:

33 (a) Identify the community and technical colleges receiving
34 grants and the amounts of the grants; and

35 (b) Summarize how the community and technical colleges
36 distributed funds to students, and provide the number of students,
37 the amounts, and the emergency conditions for which funds were
38 granted.

1 NEW SECTION. **Sec. 2.** (1) The legislature finds that students
2 who receive supplemental nutrition assistance program benefits in the
3 form of an electronic benefit transfer card cannot use these benefits
4 to purchase food items from on-campus food retail establishments at
5 institutions of higher education. On-campus food retail
6 establishments or point-of-sale locations such as cafeterias,
7 bookstores, and cafes do not qualify as retail food stores under the
8 federal food and nutrition act of 2008 because these on-campus food
9 retail establishments either do not sell enough categories of staple
10 foods or do not gross over fifty percent of their total sales from
11 staple foods.

12 (2) The legislature recognizes that students perform better in
13 classes when they are well-nourished, yet finds that students who
14 receive supplemental nutrition assistance program benefits have to
15 travel off campus to use their benefits at a participating vendor,
16 incurring extra travel costs, reducing study time, and causing
17 unnecessary stress.

18 (3) The legislature finds that this limitation on the use of
19 supplemental nutrition assistance program benefits is a barrier that
20 prevents public and private institutions of higher education from
21 providing equal access to food retail establishments on campuses to
22 all students, faculty, and staff regardless of economic status. The
23 legislature recognizes that eliminating this barrier is vital to
24 assuring equal access to every aspect of Washington's public and
25 private institutions of higher education.

26 (4) The legislature intends to have the department of social and
27 health services request a waiver from the United States department of
28 agriculture to allow students to use their electronic benefit
29 transfer card at on-campus food retail establishments at Washington's
30 public and private institutions of higher education.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.20A
32 RCW to read as follows:

33 (1) The department shall, in consultation with the state board
34 for community and technical colleges and the student achievement
35 council, seek all necessary exemptions and waivers from and
36 amendments to federal statutes, rules, and regulations, as set forth
37 in this section. These exemptions and waiver requests shall seek to
38 authorize:

1 (a) Washington's public and private institutions of higher
2 education to accept supplemental nutrition assistance program
3 benefits in the form of an electronic benefit transfer card at the
4 institutions' on-campus food retail establishments; and

5 (b) Washington to allow postsecondary students who are eligible
6 for the state need grant to be eligible for the supplemental
7 nutrition assistance program.

8 (2) The department shall report to the appropriate legislative
9 committees quarterly on the efforts to secure the federal changes to
10 permit full implementation of this act at the earliest possible date.

11 (3) In the event that the department is not able to obtain the
12 necessary exemptions, waivers, or amendments referred to in
13 subsection (1) of this section before January 1, 2020, this section
14 expires on that date and has no further force or effect.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.20A
16 RCW to read as follows:

17 (1)(a) For the purposes of community and technical college
18 students' eligibility for the Washington basic food program, the
19 department shall, in consultation with the state board for community
20 and technical colleges, identify educational programs at the
21 community and technical colleges that would meet the requirements of
22 state-approved employment and training programs.

23 (b) In identifying educational programs, the department must
24 include science, technology, engineering, and mathematics programs
25 and must be as inclusive as possible of other programs.

26 (2) If the United States department of agriculture requires
27 federal approval of what constitutes state-approved employment and
28 training programs for the purposes of basic food eligibility, the
29 department shall seek federal approval.

30 NEW SECTION. **Sec. 5.** If any part of this act is found to be in
31 conflict with federal requirements that are a prescribed condition to
32 the allocation of federal funds to the state, the conflicting part of
33 this act is inoperative solely to the extent of the conflict and with
34 respect to the agencies directly affected, and this finding does not
35 affect the operation of the remainder of this act in its application
36 to the agencies concerned. Rules adopted under this act must meet
37 federal requirements that are a necessary condition to the receipt of
38 federal funds by the state.

1 NEW SECTION. **Sec. 6.** The department of social and health
2 services must provide written notice of the expiration date of
3 section 3 of this act to affected parties, the chief clerk of the
4 house of representatives, the secretary of the senate, the office of
5 the code reviser, and others as deemed appropriate by the department.

6 NEW SECTION. **Sec. 7.** If specific funding for the purposes of
7 this act, referencing this act by bill or chapter number, is not
8 provided by June 30, 2019, in the omnibus appropriations act, this
9 act is null and void.

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