

2SHB 1893 - S COMM AMD
By Committee on Ways & Means

ADOPTED 04/17/2019

1 Strike everything after the enacting clause and insert the
2 following:

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

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

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

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

16 (a) Demonstrate the need for grant funds. Demonstrating need may
17 include producing demographic data on student income levels, the
18 number of students experiencing food insecurity or homelessness, the
19 number of students who meet the definition of "needy student" under
20 RCW 28B.92.030, the number of students accessing the college's food
21 pantry, if one is available, and other information specific to the
22 student population;

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

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

1 (d) Indicate how the college will prioritize the disbursement of
2 emergency aid funds.

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

6 (4) A community or technical college shall use grant funds to
7 provide students emergency aid in the form of monetary grants to
8 assist the student in, for example, purchasing food, paying utilities
9 or rent, paying for transportation, child care, or other goods or
10 services that the student needs in order to continue to attend
11 classes. Emergency aid under the grant program is considered a grant
12 and a student is not required to reimburse the community or technical
13 college.

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

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

19 (a) Identify the community and technical colleges receiving
20 grants and the amounts of the grants; and

21 (b) Summarize how the community and technical colleges
22 distributed funds to students, and provide the number of students,
23 the amounts, and the emergency conditions for which funds were
24 granted.

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

36 (2) The legislature recognizes that students perform better in
37 classes when they are well-nourished, yet finds that students who
38 receive supplemental nutrition assistance program benefits have to
39 travel off campus to use their benefits at a participating vendor,

1 incurring extra travel costs, reducing study time, and causing
2 unnecessary stress.

3 (3) The legislature finds that this limitation on the use of
4 supplemental nutrition assistance program benefits is a barrier that
5 prevents public and private institutions of higher education from
6 providing equal access to food retail establishments on campuses to
7 all students, faculty, and staff regardless of economic status. The
8 legislature recognizes that eliminating this barrier is vital to
9 assuring equal access to every aspect of Washington's public and
10 private institutions of higher education.

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

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

18 (1) The department shall, in consultation with the state board
19 for community and technical colleges and the student achievement
20 council, seek all necessary exemptions and waivers from and
21 amendments to federal statutes, rules, and regulations, as set forth
22 in this section. These exemptions and waiver requests shall seek to
23 authorize Washington's public and private institutions of higher
24 education to accept supplemental nutrition assistance program
25 benefits in the form of an electronic benefit transfer card at the
26 institutions' on-campus food retail establishments.

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

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

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

36 (1)(a) For the purposes of community and technical college
37 students' eligibility for the Washington basic food program, the
38 department shall, in consultation with the state board for community

1 and technical colleges, identify educational programs at the
2 community and technical colleges that would meet the requirements of
3 state-approved employment and training programs.

4 (b) In identifying educational programs, the department must
5 consider science, technology, engineering, and mathematics programs
6 and must be as inclusive as possible of other programs.

7 (c) The department shall maintain and regularly update a list of
8 identified programs in accordance with 7 C.F.R. Sec. 273.5(b)(11),
9 which provides that a student is eligible for an exemption from
10 eligibility rules if the student's attendance can be described as
11 part of a program to increase the student's employability.

12 (d) For the purposes of this section, and to the extent allowed
13 by federal law, a student shall be anticipating participation through
14 a work-study program if he or she can reasonably expect or foresee
15 being assigned work-study employment. For the purposes of this
16 subsection: "Anticipation participation" means a student has received
17 approval of work-study as part of a financial aid package and has yet
18 to receive notice from the institution of higher education that he or
19 she has been denied participation in work-study; and "work-study"
20 means the program created in chapter 28B.12 RCW.

21 (e) The department shall coordinate with the state board of
22 community and technical colleges and the Washington state student
23 achievement council to identify options that could confer categorical
24 eligibility for students who receive state need grants that are
25 funded through temporary assistance for needy families federal or
26 state maintenance of effort dollars. By January 1, 2020, the
27 department must provide a report to the appropriate committees of the
28 legislature that identifies federal assistance options for state need
29 grant recipients.

30 (2) If the United States department of agriculture requires
31 federal approval of what constitutes state-approved employment and
32 training programs for the purposes of basic food eligibility, the
33 department shall seek federal approval.

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.92
35 RCW to read as follows:

36 (1) Each institution of higher education shall provide written
37 notification to every student eligible for the state need grant or
38 state work-study program of possible eligibility for the supplemental
39 nutrition assistance program. The written notification must include

1 information on how to apply for the supplemental nutrition assistance
2 program.

3 (2) In the event the department of social and health services is
4 not able to obtain the necessary exemptions, waivers, or amendments
5 referred to in section 3 of this act before January 1, 2020, this
6 section expires on that date and has no further force and effect.

7 NEW SECTION. **Sec. 6.** If any part of this act is found to be in
8 conflict with federal requirements that are a prescribed condition to
9 the allocation of federal funds to the state, the conflicting part of
10 this act is inoperative solely to the extent of the conflict and with
11 respect to the agencies directly affected, and this finding does not
12 affect the operation of the remainder of this act in its application
13 to the agencies concerned. Rules adopted under this act must meet
14 federal requirements that are a necessary condition to the receipt of
15 federal funds by the state.

16 NEW SECTION. **Sec. 7.** The department of social and health
17 services must provide written notice of the expiration date of
18 section 3 of this act to affected parties, the chief clerk of the
19 house of representatives, the secretary of the senate, the office of
20 the code reviser, and others as deemed appropriate by the department.

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

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25 On page 1, line 3 of the title, after "enrolled;" strike the
26 remainder of the title and insert "adding a new section to chapter
27 28B.50 RCW; adding new sections to chapter 43.20A RCW; adding a new
28 section to chapter 28B.92 RCW; creating new sections; and providing
29 contingent expiration dates."

EFFECT: (1) Allows, to the extent allowed by federal law, students who are "anticipating participation" in the work-study program to qualify for the Washington basic food program;

(2) Requires DSHS to maintain and regularly update a list of identified programs that are eligible for an exemption from certain federal eligibility rules related to the program increasing a student's employability;

(3) Requires DSHS, WSAC, and SBCTC to identify options that could confer categorical eligibility for federal assistance programs for students who receive the state need grant and report those options to the appropriate committees of the legislature by January 1, 2020;

(4) Requires institutions of higher education to provide written notice to state need grant and work-study program recipients of possible eligibility for SNAP and how to apply for SNAP; and

(5) Makes technical changes for clarity.

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