

SENATE BILL REPORT

2SHB 1893

As Reported by Senate Committee On:
Higher Education & Workforce Development, March 26, 2019
Ways & Means, April 9, 2019

Title: An act relating to providing assistance for postsecondary students, such as access to food or transportation, to help those students remain enrolled.

Brief Description: Providing assistance for certain postsecondary students.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Entenman, Leavitt, Pollet, Paul, Stanford and Valdez).

Brief History: Passed House: 3/06/19, 56-40.

Committee Activity: Higher Education & Workforce Development: 3/19/19, 3/26/19 [DP-WM, DNP].

Ways & Means: 4/04/19, 4/09/19 [DPA, DNP, w/oRec].

Brief Summary of Amended Bill

- Creates a grant program for community and technical colleges (CTCs) to provide monetary assistance to students experiencing unforeseen emergencies or situations.
- Requires the Department of Social and Health Services (DSHS) to identify educational programs at the CTCs that would meet the requirements of state-approved employment and training programs, for purposes of CTC students being eligible for the Supplemental Nutrition Assistance Program (SNAP).
- Requires DSHS to request waivers from federal SNAP regulations to allow higher education institutions to accept SNAP benefits on campus and allow students who are eligible for the State Need Grant to be eligible for SNAP.

SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT

Majority Report: Do pass and be referred to Committee on Ways & Means.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

Minority Report: Do not pass.

Signed by Senators Holy, Ranking Member; Brown.

Staff: Kellee Gunn (786-7429)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Liias, Palumbo, Pedersen and Van De Wege.

Minority Report: Do not pass.

Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey, Becker, Wagoner and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senators Mullet, Capital Budget Cabinet; Schoesler.

Staff: Daniel Masterson (786-7454)

Background: Financial Assistance to Community and Technical College Students. Each institution of higher education must deposit a minimum of 3.5 percent of revenues collected from tuition, services, and activities fees in an institutional financial aid fund. Monies in the fund must be used to make long-term and short-term loans to certain eligible students and to provide financial aid to needy students. A "needy student" means a student who demonstrates an inability to meet the total cost of room, board, books, tuition, and fees for any semester or quarter. Most CTCs offer grants to needy students using monies from their funds. Students are required to fill out an application and monies are used on a first come, first served basis.

Most CTCs also have food pantries, with each college having their own criteria for how students access them. Other aid at CTCs include the Basic Food Employment and Training (BFET) Program, which is funded by federal dollars and administered by DSHS. The BFET program provides employability assessments and services to certain SNAP recipients. In addition to job training services, BFET benefits can include emergency aid for child care, transportation, or other needs related to job seeking and employability.

Basic Food Program. SNAP, which is called Basic Food in Washington, and is administered by DSHS, provides nutritional support benefits to low-income individuals and families. Generally, a person must be at or below 200 percent of the federal poverty level to be eligible for benefits. Congress authorizes funding and establishes SNAP requirements.

For a higher education student to receive Basic Food benefits, the student must meet certain income thresholds and meet other conditions mandated by federal law. One condition that

allows a student to receive Basic Food benefits is if the student is in an approved state or local employment and training program, which must meet federal criteria.

Recipients of SNAP access their benefits using an Electronic Benefits Transfer (EBT) card, which operates like a debit card and may only be used at retail stores approved by the United States Department of Agriculture (USDA). In general, a retail store may be eligible to accept SNAP benefits if it sells food for home preparation and meets other federal criteria, such as having more than 50 percent of the total dollar amount of all retail sales be from the sale of eligible staple foods (such as meat, poultry, fish, dairy products, vegetables, fruits, bread). In general, a person may not use SNAP benefits to purchase foods sold hot at the point-of-sale.

A state may apply to the USDA Food and Nutrition Service for a waiver of the federal SNAP rules.

Summary of Amended Bill: Grant Program for Community and Technical Colleges. The Emergency Assistance Grant program, administered by the State Board for Community and Technical Colleges (SBCTC), is established to provide monetary assistance to students at the CTCs experiencing unforeseen emergencies or situations that affect the student's ability to attend classes.

The CTCs applying for the grant must demonstrate need, which may include showing demographic data on student income levels, students experiencing homelessness or food insecurity, and other factors. The CTC applicants must also:

- ensure that students' access to emergency aid funds will be as low a barrier as possible;
- allow flexibility in who may apply for funds and include students who may not necessarily meet the definition of needy student, but who may be experiencing emergency situations; and
- indicate how the CTC will prioritize the disbursement of emergency aid funds.

The CTC may not require a student to fill out the Free Application for Federal Student Aid to receive emergency aid, but the CTC must require students request assistance in writing.

The CTC must use grant funds to provide monetary aid to students to purchase food, pay for transportation, child care, or other goods or services needed for the student to continue attending classes.

In selecting grant recipients, the SBCTC must consider a CTC's demonstration of need and the resources and programs already in existence at the college. The SBCTC must begin accepting applications for the grant by December 1, 2019, and must submit annual reports to the Legislature by December 1, 2020.

Request for Waivers for Basic Food. DSHS must request waivers from USDA from federal SNAP regulations to:

- allow higher education institutions to accept SNAP benefits in the form of EBT cards at on-campus food retail establishments; and
- allow postsecondary students who are eligible for the State Need Grant to be eligible for SNAP.

To the extent allowed by federal law, students who are anticipating participation in the work-study program shall qualify for SNAP. "Anticipating participation" means a student has received approval for work-study as part of a financial aid package and has yet to receive notice from the higher education institution that they have been denied participation in work-study.

If any part of this act is in conflict with federal law, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected.

DSHS, in consultation with SBCTC, must also identify educational programs at the CTCs that would meet the requirements of state-approved employment and training programs, for purposes of CTC students being eligible for SNAP. DSHS must also keep a list of programs that increase a student's employability and are eligible for an exemption from certain federal eligibility rules.

DSHS, SBCTC, and the Washington Student Achievement Council (WSAC) must 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.

Institutions of Higher Education. Higher education institutions must provide written notice to all state need grant and work-study program recipients of possible eligibility for SNAP and how they may apply for it.

EFFECT OF WAYS & MEANS COMMITTEE AMENDMENT(S):

- 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.
- 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.
- 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.
- Requires higher education institutions to provide written notice to state need grant and work-study program recipients of possible eligibility for SNAP and how to apply for it.
- Makes technical changes.

Appropriation: The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Higher Education & Workforce Development):

PRO: There are students with need, especially around food security. There are students who qualify for SNAP, but cannot use their benefits on campus because the colleges are not set up to take SNAP. Students should be able to use their benefits to get hot meals on campus. There should also be an emergency fund for instances when a student's car breaks down, so a student does not have to quit school. The school could help them get an ORCA card, or get their car fixed, so the student can make it to class and stay enrolled. A number of students and staff use food pantries, and the system should be improved so anyone who is in need may get access to food on campus.

We know that college hunger is real. There was a recent GAO report on college hunger that estimated 11 percent of all four-year students and 17 percent of all CTC students are food insecure. One study suggests as many as 56 percent of CTC students deal with food insecurity. SNAP is the nation's first line of defense against hunger. The SBCTC supports this. Increased availability of resources for students is important. CTCs do not have enough resources, and what resources they do have are quickly exhausted. The federal government will provide a 505 reimbursement for funds spent on this.

Persons Testifying (Higher Education & Workforce Development): PRO: Representative Debra Entenman, Prime Sponsor; Claire Lane, Anti-Hunger and Nutrition Coalition; Aaron Czyzewski, Food Lifeline; Erin Frasier, State Board for Community and Technical Colleges.

Persons Signed In To Testify But Not Testifying (Higher Education & Workforce Development): No one.

Staff Summary of Public Testimony (Ways & Means): *The committee recommended a different version of the bill than what was heard.*

PRO: The GAO came out with a report this January on college hunger and the findings were really stark and fairly startling. They estimate that 11 percent of all four-year college students experience food insecurity. Fourteen percent of students in vocational education programs are food insecure and up to 17 percent of community college students. We know this issue around SNAP and college hunger and basic needs is an issue. Across the country 39 percent of college students in 2016 would qualify on an income basis for SNAP. To qualify for SNAP students have to be enrolled at least half time and working 20 hours a week. Under federal statute, there are other provisions that would qualify a student for SNAP. So we are looking forward to some clarifications around that SNAP eligibility that is based on State Need Grants and work study. The way that the Emergency Need Grants would be structured would allow our state to count whatever is appropriated for those towards our state basic food and education training program. Those BFET dollars get matched dollar for dollar from the federal government and that provides more slots where we are maxed out for our students at the community colleges now. Through our research we identified broad campus based solutions to be the most effective at addressing campus hunger. Anecdotally, our work at the pantry reinforces this. We are just minutes UW and most hungry college students would opt to choose the small UW pantry or go hungry rather than access our food bank, even though we have accessible

hours and low barriers to entry. We also learned that campus pantries need to be paired with structural supports like SNAP and emergency grants. Food alone is not enough. As cited in the GAO report on campus hunger, it is the small unexpected expenses that really add up to prevent degree completion. SNAP access and emergency grants enable more money to be available to weather unexpected economic storms.

Persons Testifying (Ways & Means): PRO: Joe Gruber, University District Food Bank; Claire Lane, Anti-Hunger & Nutrition Coalition.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.