
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No:	AB 1894	Hearing Date:	June 6, 2018
Author:	Weber		
Version:	January 18, 2018		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Postsecondary education: student hunger.

Note: This bill has been referred to the Committees on Education and *Human Services*. A "do pass" motion should include referral to the Committee on *Human Services*.

SUMMARY

This bill authorizes the Department of Social Services to enter into a memorandum of understanding with the Chancellor of the California State University (CSU) in order to allow a qualifying food facility located on a CSU campus to participate in the Restaurant Meals Program (RMP), even if the CSU campus is located in a county that does not participate in the RMP.

BACKGROUND

Existing law:

- 1) Requires each public and private postsecondary education institution that is located in a county that participates in the RMP to apply to become an approved food vendor for participation in this program. (Education Code (EC) § 66025.93)
- 2) Specifies that an institution is not required to create, operate, or maintain an Electronic Benefits Transfer system on behalf of on-campus food vendors, and an approved food vendor participating in the RMP, as specified, and a county in which the program is operated, shall meet the requirements of the RMP. (EC § 66025.93)
- 3) Defines "qualifying food facility" as a facility that sells prepared food for onsite consumption, and specifies that "on-campus food vendors" does not include any vendor that does not sell prepared food for onsite consumption or that sells food from a mobile food facility, as specified. (EC § 66025.93 (d))
- 4) Authorizes the Cal Grant Program, administered by the California Student Aid Commission, to provide grants to financially needy students to attend college. (EC § 69430, et seq.).
- 5) Requires the Student Aid Commission to provide written notice to recipients of Cal Grant awards who qualify for participation in the CalFresh program under the federal regulation. (EC § 69519.3)

- 6) Establishes the Emergency Food Assistance Program (EFAP) within the State Treasury; and, authorizes the Controller to transfer from the Personal Income Tax Fund to the EFAP Fund, not in excess of the sum of the amounts designated by individuals, as specified. (Revenue and Taxation Code § 18852)
- 7) Establishes the Electronic Benefits Transfer (EBT) Act, and defines the EBT system as the program designed to provide benefits to those eligible to receive public assistance benefits such as CalWORKs and CalFresh. (Welfare and Institutions Code (WIC) § 10065, et seq.)
- 8) Establishes the federal Supplemental Nutrition Assistance Program (SNAP) and the CalFresh program which administers the federal SNAP benefit program for families and individuals meeting income and other eligibility criteria. (WIC Code § 18900, et seq.)
- 9) Establishes the Restaurant Meals Program (RMP) within the SNAP program to allow eligible homeless, disabled or elderly SNAP (CalFresh in California) recipients to purchase hot, prepared food from participating restaurants. (United States Code, Title 7, § 2020)

ANALYSIS

This bill:

- 1) Makes an on-campus qualifying food facility that is approved for the RMP subject to meeting the participation requirements of that program and annually informing students about that program.
- 2) Modifies the definition of a “qualifying food facility,” to clarify that it is administered by a postsecondary education institution.
- 3) Authorizes the Department of Social Services to enter into a statewide memorandum of understanding with the Chancellor of the California State University (CSU), for purposes of preventing hunger among college students who are homeless, elderly, or disabled and to facilitate compliance with specified requirements.
- 4) Authorizes a qualifying food facility located on a campus of the CSU to participate in the CalFresh RMP through the statewide memorandum of understanding established in 3) above, even if the facility is located in a county that does not participate in the RMP.
- 5) Specifies that, for purposes of provisions of this bill, a restaurant includes but is not necessarily limited to: an on-campus qualifying food facility, an eat-in establishment, a grocery store delicatessen, and a takeaway-only restaurant, as specified.
- 6) Makes technical changes.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “current law only allows California State Universities (CSU) located in counties that have decided to participate in the Restaurant Meals program (RMP) to extend prepared meals to SNAP recipients who are elderly, disabled or homeless. This leaves out most of the CSUs throughout the state, and leaves behind too many students who could benefit from the program.”

This bill seeks to further improve access to federal anti-hunger benefits for California’s eligible college students by authorizing an alternative method for participation into the RMP exclusively for qualifying food facilities located on a CSU campus.

- 2) ***Restaurant Meals Program.*** The RMP is an option within the Supplemental Nutrition Assistance Program (SNAP) program to allow eligible elderly, homeless, or disabled SNAP (CalFresh in California) recipients to purchase hot, prepared food from participating restaurants. As such, students who are not elderly, homeless, or disabled are ineligible for the program. Staff understands that eligibility is determined by the federal United States Department of Agriculture, and therefore state statute cannot expand eligibility for the RMP to other needy students who are not elderly, homeless, or disabled.

Participation in the RMP on postsecondary education campuses is not limited to eligible students. Therefore, all eligible recipients (elderly, homeless, or disabled), regardless of whether or not the recipient is a student on that campus, may access the approved food facilities on campuses. Staff notes that a member of the general public may currently access a food facility on a campus without being a student, faculty or employee of that campus.

- 3) ***County participation.*** Participation by counties in the RMP is voluntary. There are currently only nine counties in California that have chosen to participate: Alameda, Los Angeles, Orange, Sacramento, San Diego, San Francisco, San Luis Obispo, Santa Clara, and Santa Cruz counties. A participating county must meet specific requirements, including entering into a memorandum of understanding with the food vendor to delineate the responsibilities of each entity. The CSU system operates 23 campuses throughout the state of those campuses, ten are located in counties that do not participate in the RMP: CSU, Bakersfield, CSU Chico, CSU Fresno, Humboldt State University, CSU Maritime Academy, CSU Monterey Bay, CSU San Bernardino, CSU Stanislaus, and Sonoma State University.

This bill authorizes a statewide memorandum of understanding to be entered into between the Department of Social Services and the CSU thereby allowing on-campus facilities to apply for RMP regardless if the county is a participant.

- 4) ***Existing efforts addressing college hunger at CSU.*** According to the CSU, Chancellor’s Office all 23 campuses have a food pantry or food distribution program, a majority of campuses offer meals through meal sharing or meal voucher programs and five of the California State University (CSU) campuses

accept Electronic Benefit Transfer (EBT) with additional campuses in development. The CSU also participates in the intersegmental Higher Education Basic Needs workgroup which is comprised of representatives from the University of California (UC), CSU and the California Community Colleges (CCC). The workgroup is designed to improve coordination and share evidence-based practices to address student needs around food and housing. The Budget Act of 2017 provides \$2.5 million to UC, CSU and CCC to support related activities such as enrollment in CalFresh, establishment of on-campus food pantries and meal sharing programs. Under this bill's provisions, the authorization to enter into a statewide memorandum of understanding with the Department of Social Services applies only to CSU.

5) ***Related and Prior Legislation.***

SB 1275 (Stern, 2018) Establishes, under the administration of the California Student Aid Commission, a new grant award program for the purpose of preventing hunger among students at public postsecondary educational institutions who are eligible for the Cal Grant B Program. SB 1275 was held in the Senate Appropriations Committee suspense file.

AB 832 (Weber, 2013) which was held in the Assembly Human Services Committee, would have required all convenience stores and bookstores at UC, CSU and the CCC to accept the use of EBT cards.

AB 756 (Mitchell, 2011) which died in the Assembly Human Services Committee, would have prohibited surcharges on ATM withdrawals and point-of-sale transactions for CalWORKs recipients when using their state-issued EBT cards.

SUPPORT

Alameda County Community Food Bank
 American Academy of Pediatrics
 California Association of Food Banks
 California State University
 California State University
 Disability Rights California
 Disability Rights California
 Education Trust-West
 Faculty Association of California Community Colleges
 Feeding San Diego
 Hunger Action Los Angeles
 MAZON
 National Association of Social Workers
 San Diego Hunger Coalition
 The Education Trust-West
 University of California Student Association
 Western Center on Law and Poverty
 Young Invincibles

OPPOSITION

None received

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