

Date of Hearing: April 2, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 2033 (Reyes) – As Amended March 19, 2024

**[Note: This bill is double referred to the Assembly Human Services Committee and will be heard by that Committee as it relates to issues under its jurisdiction.]**

**SUBJECT:** Public postsecondary education: electronic benefits transfer cards: basic needs services and resources

**SUMMARY:** Requires the California Community Colleges (CCC) and the California State University (CSU), and requests the University of California (UC) to implement various programs and tools, as defined, to help students access basic needs resources on- and off-campus. Specifically, **this bill:**

- 1) Defines for the purpose of the section:
  - a) “Basic needs services and resources” as housing, food, clothing, feminine hygiene, diapers, technology, childcare, mental health services and resources; and,
  - b) “Coordinator” as a basic needs coordinator as established below in (2) of this analysis.
- 2) Requires each campus of the CSU and requests each campus of the UC by July 1, 2025, to accomplish following:
  - a) Establish a new position to serve as the Basic Needs Coordinator whose focus is to provide basic needs services and resources to students and to serve as the single point of contact for students experiencing basic needs insecurities. The basic needs coordinator will:
    - i) Act as a broker in identifying, coordinating partnerships, and linking students to on – and – off campus basic needs support services; and,
    - ii) Oversee and coordinate with other staff tasked with addressing students’ basic needs;
  - b) Establish a Basic Needs Center to centrally locate the staff tasked with providing basic needs resources to students. If a campus is unable to move all basic needs services or resources to the basic needs center, the campus will provide students with the location and contact information, including phone number and email, for all basic needs services not located within the basic needs center. The Basic Needs Coordinator’s office will be located within the basic needs center. The Basic Needs Centers will also help students access information they need to enroll in CalFresh, the California Earned Income Tax Credit, the Young Child Tax Credit, the California Special Supplemental Food program for Infants and Children and other relevant government benefits program. The basic needs center will also coordinate with the campus financial aid and the homelessness response system in order to provide additional financial aid and housing resources to students. Permits an existing basic needs center to fulfill the requirements of this provision, if the basic needs center fulfill the requirement of the section.

- c) Provide any portion of funds allocated for basic needs support directly to students to address urgent needs.
- 3) Requires each campus of the CSU and requests each campus of the UC by February 1, 2025, to accomplish following:
- a) Develop a document that is available to students in the basic needs center with a list of all on – and off – campus basic needs services and resources. The document will also be provided during campus orientation. The document will be updated every fall and spring semester or quarter. The document will include the following:
    - i) The U.S. Department of Agriculture’s Food and nutrition Service’s “SNAP Retail Locator” internet website link, which provides a map of the retail food stores in a given area that accept electronic benefits transfer (EBT) card;
    - ii) A description of the service or resource;
    - iii) The location of the service or resource; and,
    - iv) The point of contact for the service or resource, including a name, phone number, and email address;
  - b) Develop and utilize a single application for students to receive campus basic needs services and resources, and if the service or resources require an application;
  - c) Implement a plan to identify and provide outreach to students, including nontraditional students, who have basic need insecurities, as defined. The outreach will include information about the Basic Needs Center and the basic needs coordinator; and,
  - d) Provide a student basic needs tab that is clearly visible and easily accessible from a drop-down menu on the home page of the campus’s website and includes information about the Basic Needs Center, the basic needs coordinator, and the contact list developed by the campus established in section (c). Furthermore, the contact list developed by the campus established in section (c) will be displayed on the campus’ internet website and on the website – based student account associated with a student’s attendance at the institution.
- 4) Requires each CSU campus to report to the Chancellor of the CSU and requests the UC to report to the UC Office of the President, the following data disaggregated by each basic needs serve and resource, where applicable:
- a) A description and number of basic needs services and resources;
  - b) The number of students served;
  - c) The socioeconomic and demographics backgrounds of students who are served;
  - d) The challenges and best practices in the implementation of the basic needs services and resources;
  - e) Whether students who used the basic needs services and resources remained enrolled or graduated from the campus;

- f) The number of students who started receiving CalFresh benefits in the previous year and the total number of students in the previous year who received CalFresh benefits; and,
  - g) Whether the campus has a data sharing agreement with the relevant county operating the CalFresh program for the purpose of identifying students who are potentially eligible for CalFresh benefits or if efforts are underway to establish an agreement.
- 5) Requires the Chancellor's office of the CSU and requests the Office of the President of the UC to develop and submit to the Governor and Legislature each year, beginning on or before May 1, 2026, a report based on the data listed in (4) of this analysis.
  - 6) Requires CCC by September 1, 2025, to update their basic needs services and resource document provided by the campus-based basic needs center to include the U.S. Department of Agriculture's Food and nutrition Service's "SNAP Retail Locator" internet website link, which provides a map of the retail food stores in a given area that accept EBT card or CalFresh
  - 7) Requires each campus of the CCC and the CSU, and requests each campus of the UC to have at least one general store or store that sells food on campus apply to become an authorized retail food store under the federal Supplemental Nutrition Assistance Program and if approved, require the approved store to accept EBT benefits
  - 8) Makes conforming and technical changes.
  - 9) Establishes, if the Commission on State Mandates determines that this bill contains cost mandated by the state, the state shall reimburse the applicable entities.

**EXISTING LAW:** *Federal law.*

- 1) Restricts any individual, who is enrolled at least half-time in an institution of higher education from qualifying for SNAP benefits, unless the individual qualifies for an exception, as specified (7 Code of Federal Regulations (CFR) 273.5(a)).
- 2) Clarifies that a college student, enrolled at least part-time, may qualify for SNAP nutritional benefits if they are:
  - a) Over the age of 50 or under the age of 17;
  - b) Physically or mentally unfit;
  - c) Receiving Temporary Assistance for Needy Families under Title IV of the Social Security Act;
  - d) Enrolled in a Job Opportunities and Basic Skills program under Title IV of the Social Security Act or its successor program;
  - e) Employed for a minimum of 20 hours per week and are paid to the equivalent of Federal minimum wage for 20 hours of work per week;
  - f) Participating in a state or federally financed work study program during the regular school year;

- g) Participating in an on-the-job training program;
- h) Responsible for the care of a child under the age of six;
- i) Responsible for the care of a child between the ages of six and twelve when adequate child care is not available to enable the student to work 20 hours a week;
- j) A single parent enrolled full-time and are responsible for a child under the age of 12; or,
- k) Enrolled in a program associated with the Job Training Partnership Act of 1974; an employment and training program funded by Carl Perkins and Technical Education Act of 2006, as defined; a program associated with the Trade Act of 1974 as defined; or an employment and training program for low-income households operated by the State or local government. (CRF 273.5(b)).

*State law.*

- 1) Establishes the Donahoe Higher Education Act and assigns the mission of the UC, the CSU and the CCC (Education Code (EDC) Section 66010, et seq.h).
- 2) Establishes by July 1, 2022 Basic Needs Centers and the position of a Basic Needs Coordinator at CCC campuses to provide students with single point of contact for on-and off-campus basic needs services, as defined (EDC Section 66023.5).
- 3) Requires campuses of the CCC and the CSU Board of Trustees, and requests the UC Board of Regents to provide all incoming students with educational information regarding the CalFresh, including the eligibility requirements, during campus orientation (EDC Section 66027.4).
- 4) Requires each campus of the CSU and CCC and requests the UC to include on the internet website-based student account associated with the student's attendance at the institution information, including the weblink, on the following public services and programs:
  - a) The CalFresh program;
  - b) Resources as determined by the institution for county or local housing services, as defined; and,
  - c) Resources as determined by the institution for county or mental health services (EDC Section 66027.6).
- 5) Establishes the California CalFresh program to administer federal SNAP monetary benefits to qualifying families and individuals, as specified (Welfare and Institutions Code (WIC) Section 18900 et seq.).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Purpose of the measure.* As recounted by the author, "CalFresh benefits are critical in helping address student hunger, and it is important that we make it possible for students to use these benefits on campus. AB 2033 ensures that college students can use their food benefits by requiring at least one store on each college campus to become an authorized

electronic benefit transfer (EBT) vendor. If approved, these stores would be required to accept EBT. It would also require college campuses to provide students with information on EBT vendors on and off campus. AB 2033 supports low-income students across California by increasing the number of locations that accept EBT on campus. This bill will also ensure that students have easily accessible information on EBT vendors on and off campus so that they know where they can use their food benefits. Finally, while many CSU and UC campuses have basic needs centers and basic needs coordinators, this bill requires the CSU and requests the UC to establish the centers and coordinators and the provision of basic needs support as a codified requirement and not subject to the budgetary decision of a campus.”

*Landmark legislation and funding for basic needs support on CCC campuses.* In 2020, Assemblymember Berman introduced the first iteration of a bill which would require the community colleges to have basic needs centers and basic needs coordinators on campus. AB 2388 of 2020 was held under submission in the Senate Education Committee. In June 2020, the California Department of Social Services published *Senate Bill 77 CalFresh Student Data Report*, which examined statewide data on college student participation in CalFresh and provided methods for improving student participation in the social service. One of the suggested recommendations for improving access to CalFresh was to have the three public postsecondary segments “invest in Basic Needs Centers that integrate food-related programs with other programs such as housing and homelessness services to address student basic needs in a comprehensive way.”

With new statewide data suggesting the need for basic needs centers, Assemblymember Berman introduced AB 775, Chapter 942, Statute of 2022, which was absorbed into the Higher Education Trailer Bill, SB 132 (Committee on Budget), Chapter 144, Statute of 2021. The mandate for campuses of the CCC to have basic needs centers and basic needs coordinators by July 1, 2022 was codified along with \$160 million to help CCC fulfill the requirements. *Committee Staff note AB 775 was a two-year bill that was later substantially amended outside the jurisdiction of the Assembly Higher Education Committee.*

In May 2023, the Chancellor’s Office of the CCC published the first Basic Needs Services Center Report, which contained an update on the CCC compliance with SB 132 (Committee on Budget). Each of the 115 brick and mortar CCC have a basic needs center which provides services to students and 60 college campuses provided data on services to the Chancellor’s Office. Of the 60 colleges who reported data, the number of students served by category of resource is as follows:

- 31,361 received food security services;
- 4,156 received housing security services;
- 15,179 received support for transportation insecurities;
- 1,615 received mental health services;
- 4,466 received physical health services;
- 9,091 received technology support services; and,
- 524 received child support assistance.

In the 2023-2024 budget year, CCC basic needs centers received a cost of living adjustment (COLA) of 8.22% in addition to the \$30 million in annual funding. *Committee Staff believe if the funding was divided evenly amongst the programs listed for the COLA, the new ongoing funding figure would be roughly \$32 million.*

*Basic needs support and resources on CSU and UC campuses.* With the exception of one year, the Legislature has included funding, either in one-time or ongoing form, for basic needs support for students attending CSU and UC campuses for the last six budget years. Currently, the State provides \$15.8 million in ongoing funding for UC basic needs services and \$26.3 million in ongoing funding for CSU basic needs services.

In August 2022, ED Source reported that all 23 campuses of the CSU and all 10 campuses of the UC have basic needs centers. The annual Budget Act of 2022, required the CSU to provide an annual systemwide report on the provision of student mental health services and basic needs support. The most recent CSU report was submitted to the Legislature on March 11, 2024 and includes a campus by campus description of services rendered on the campus along with systemwide figures of services provided. In the systemwide section the following data points are relevant for purposes of this analysis:

- All 23 campuses have on and off campus resources and partnerships to address food insecurities, housing insecurities, and mental health services; and,
- 10 CSU campuses currently accept CalFresh/EBT at various venues on campus, including, but not limited to campus dining halls, on-campus fast food restaurants, campus-based markets convenience stores, and farmers' market events. The 10 campuses currently offering this option to students include: CSU Chico, CSU Long Beach, CSU Los Angeles, CSU Monterey Bay, CSU Northridge, Cal Poly Pomona, CSU Sacramento, CSU San Diego, CSU San Francisco, and Cal Poly San Luis Obispo.

Furthermore, according to the CSU Basic Needs Initiative Brochure, all 23 campuses have administrators or staff who manage the basic needs programs on campus and connect students with resources.

The annual Budget Act of 2022, also required the UC to provide an annual systemwide report on basic needs, mental health, and rapid rehousing services on UC campuses. The most recent report was submitted in February 2024 and contained data collected from UC campuses from July 2022 –June 2023. Within the aforementioned timeframe, the UC served over 78,000 students across all campus-based food and housing support services. To accommodate the demand of services, the UC employs 54 staff and 389 student staff members to provide basic needs and rapid rehousing services across all ten campuses of the UC. The report reaffirmed each campus has a basic needs center and staff to help assist students, and the only UC campus which does not accept EBT on campus nor plans to accept EBT on campus is UC San Francisco.

*CalFresh and CalFresh vendors.* In 1964, President Johnson signed the Food Stamp Act of 1964 and the nation's most successful anti-hunger program, the Supplemental Nutrition Assistance Program (SNAP) was created. SNAP is a federal and state partnership in which federal dollars are distributed by state programs in order to provide low-income individuals with monetary assistance in purchasing nutritious food. In California, SNAP is known as CalFresh and the California Department of Social Services works with local county welfare departments to administer the benefits. To qualify for CalFresh one must be: a citizen or a qualifying immigrant, income eligible (\$2,024 monthly for a single individual), and those specified individuals without dependents must work or engage in approved work related activities for 80 hours per month. Full-time college students are required to meet an additional requirement in order to qualify for CalFresh. In the existing law section of this analysis, the additional requirements for collegiate students are listed under the federal law section. Once a student qualifies, they are able to use their CalFresh EBT benefits at a qualifying vendor.

To qualify, a food retailer must be approved by the United States Department of Agriculture (USDA) as a qualifying vendor before the food retailer can accept EBT as a form of payment for food. To qualify a food retailer must meet one of the two criterion as issued by the USDA:

- **Criterion A:** Have at least 36 minimum staple food items in stock that meet the following conditions:
  - Three choices of staple food (vegetables/fruits, dairy products, meat, or breads/cereals);
  - Three packaging units for each of the above three choices of staple foods; and
  - One perishable item in two of the staple foods.
- **Criterion B:** The sales of vegetables/fruits, dairy products, meat, and breads/cereals must be greater than 50% of the vendors total gross retail sales.

The USDA does not consider hot foods or prepared foods as staple foods even if they are vegetables/fruits, dairy products, meat, and breads/cereals. If a food retailer does not meet the above criterion, the food retailer may also apply for an exemption status with the USDA. The exemption can be granted if the food retailer can demonstrate that CalFresh clients have minimal access to food in the geographical area where the food retailer is located.

*Arguments in support.* As depicted by the Student Senate for California Community Colleges, “CalFresh benefits are critical in helping address student hunger, and we must make it possible for students to use these benefits on campus. According to a Legislative Analyst’s Office report, 44% of undergraduates and 26% of graduate students in California experience food insecurity. Data from the University of California demonstrates that students who experience food and housing challenges have lower grade point averages and graduation rates compared to students who have their basic needs met. AB 2033 supports low-income students across California by increasing the number of locations that accept EBT on campus. This bill will also ensure that students have easily accessible information on EBT vendors on and off campus to know where they can use their food benefits.”

*Committee comments.* In 2023, the California Student Aid Commission published a student survey on food and housing basic needs. The survey recorded that 53% of respondents were housing insecure and 66% were food insecure. The cost of paying for housing, food, and transportation has increased since the 2018-2019 academic year and despite historic investments into basic needs support by the Legislature, students continue to experience food and housing insecurities. AB 2033 (Reyes) seeks to address student basic needs and hunger by requiring and requesting the public higher education segments to implement the following best practices in addressing basic needs:

- 1) Require CSU and requests the UC to establish basic needs centers that are centrally located, contain all the on campus resources, and employ a basic needs coordinator;
- 2) Require the CCC to update their on-campus and off-campus basic needs services document to include information on the SNAP retailer locator; and,
- 3) Require the CCC and CSU and requests the UC to have at least one food vendor on each campus apply to accept SNAP/CalFresh EBT.

The majority of requirements contained within this measure are already being undertaken by the CSU and the UC. Both the CSU and UC already have basic needs centers and basic needs staff to assist students in accessing on and off campus resources. The CSU is already required, and the UC has been asked to provide information on off-campus resources in accessing housing, mental health services, and CalFresh. Based on the reports provided to the Legislature by the CSU and the UC, campuses are already fulfilling many of the requirements for the basic needs centers as listed by the measure. Furthermore, the CSU and UC campuses have either already applied or are in the process of applying to have qualified EBT vendors on campus.

Unlike the CCC, which did not have basic needs centers until legislation required the establishment of them on campus, the CSU and UC have robust basic needs programs already providing services to student on campus. AB 2033, call for the basic needs coordinator on CSU and UC campuses to be the point of contact for all student basic needs on campus and as discussed in this analysis most CSU and UC campuses have multiple staff accomplishing these tasks.

*Moving forward the author may wish to engage in conversations with the CSU and UC to ensure the implementation of this measure will not result in a reduction of staff overseeing the basic needs resources on campus.*

*Previous legislation.* Committee Staff note a plethora of bills have been introduced and chaptered on the subject of student basic needs, the below represents a sampling of measure related to AB 2033 (Reyes):

- 1) AB 178 (Committee on Budget), Chapter 45, Statutes of 2022, among other requirements as listed in the annual budget act, requires the CSU and the UC to provide an annual report on basic needs services provided to students on campus.
- 2) AB 543 (Davies), Chapter 563, Statues of 2021, required each campus of the CCC and the CSU, and requests the UC to provide all incoming students with educational information regarding the CalFresh program, including the eligibility requirements, during campus orientation.
- 3) AB 132 (Committee on Budget), Chapter 144, Statutes of 2021, required each campus of the CCC to establish a basic needs centers and the position of basic needs coordinator and to provide students with information regarding the availability of on-and off-campus resources to address student basic needs.
- 4) AB 1278 (Gabriel), Chapter 517, Statutes of 2019, requires each CCC and CSU campus and requests each UC campus to provide on an internet website-based account for an enrolled student notification of and a link to internet sites of CalFresh and local mental health and housing resources as specified.
- 5) SB 85 (Committee on Budget), Chapter 23, Statutes of 2017, required the Trustees of California State University, authorizes the governing board of participating California Community College district, and encourages the Regents of the University of California to designate, a “hunger free campus” if they meet specified criteria, as defined, for the purpose of procuring additional legislative funds.



**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Association of Food Banks  
California Federation of Teachers Afl-cio  
Coalition of California Welfare Rights Organizations  
San Diego Hunger Coalition  
Second Harvest Food Bank of Orange County  
Student Senate for California Community Colleges  
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**Opposition**

None on file.

**Analysis Prepared by:** Ellen Cesaretti-Monroy / HIGHER ED. / (916) 319-3960