

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3099

FISCAL
NOTE

By Delegate Young

[Introduced January 27, 2023; Referred to the
Committee on Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §18B-21-1, §18B-21-2, §18B-21-3, §18B-21-4, §18B-21-5, §18B-21-6, §18B-
 3 21-7, §18B-21-8, §18B-21-9, and §18B-21-10, all relating to the Student Basic Needs
 4 Campus Initiative; establishing the Student Basic Needs Campus Initiative; authorizing the
 5 creation of the Student Basic Needs Campus Program office; establishing the duties of the
 6 Hunger Free Campus Program office; authorizing the Student Basic Needs Campus
 7 Program office to administer and advise the Chancellor on the Student Basic Needs
 8 Campus Grant Program; establishing the requirement for designation as a Student Basic
 9 Needs Campus; setting requirements for awarding Student Basic Needs grants;
 10 addressing Student Basic Needs Campus grant administration; creating the Student Basic
 11 Needs Campus Program and Grant Fund; setting forth reporting requirements; and
 12 authorizing legislative rules.

Be it enacted by the Legislature of West Virginia:

ARTICLE 21. STUDENT BASIC NEEDS CAMPUS INITIATIVE.

§18B-21-1. Short Title

1 This article may be cited as the "The Student Basic Needs Campus Initiative".

§18B-21-2. Legislative findings and intent.

1 (a) The Legislature of the State of West Virginia finds:

2 (1) Food insecurity can look like the inability to afford balanced meals, or that the food
 3 students buy does not last and they are unable to afford more.

4 (2) The most common presentation of food insecurity in college students is skipping meals
 5 or cutting the size of meals because they could not afford food.

6 (3) Studies show that over one in three students at West Virginia University surveyed are
 7 food insecure.

8 (4) At least one-third of two-year students are housing insecure, including up to 14 percent
 9 who are homeless, whereas between 11 percent and 19 percent of four-year students are housing

10 insecure.

11 (5) Students pay an average of \$9,261 a year for on-campus housing and \$682 a month for
12 off campus housing.

13 (6) Out of the 10 largest universities in West Virginia, the cheapest average room and
14 board option in 2016 cost \$7,960 for in-state students at West Liberty university and the highest
15 cost of average room and board was \$10,575 at West Virginia University.

16 (7) Studies show that being food insecure affects the sleep quality by looking at factors
17 such as glycemic control disruptions, low energy, and weight issues as well as physical health,
18 mental health, and academic progress in students and.

19 (8) Such results have suggested that food insecurity can contribute to poor health and
20 increased Body Mass Index (BMI) as well as food insecure students have more coping
21 mechanisms and lower academic progress.

22 (9) West Virginia University is ranked fifth out of 37 public universities in the state for the
23 freshman retention rate and ranked 1,101 out of 3,392 nationally.

24 (10) West Virginia ranks as the 8th worst in the United States for four-year institutional
25 graduation at 24 percent.

26 (11) Approximately \$4,750 is spent on an estimated 3,200 West Virginia Promise students
27 each year.

28 (12) In order for the estimated \$15.2 million investment for West Virginia Promise students
29 to see a return on investment, additional steps must be taken to ensure students can stay in school
30 and complete their degree successfully.

31 (b) The intent of the Legislature relating to this article is to reduce the dropout rate and aid
32 in the successful completion of higher education in West Virginia. This will be accomplished by
33 alleviating the food and housing insecurity barriers that make successful completion of this
34 achievement an often unattainable and unrealistic goal for many undergraduate students within
35 the state.

§18B-21-3.

Definitions.

1 In this article the following words have the meanings indicated.

2 "Chancellor" means the Chancellor for Higher Education.

3 "Commission" means the Higher Education Policy Commission.

4 "Student Basic Needs Campus Program office" or "office" means the office established by
5 the commission to support institutions of public higher education to build their capacity to
6 understand and address existing gaps in addressing student food insecurity and hunger on their
7 campus, using interventions that reflect best practices.

§18B-21-4. Student Basic Needs Campus Initiative.

1 (a) The Higher Education Policy Commission shall establish an initiative known as the
2 Student Basic Needs Campus Initiative to address college student food insecurity and hunger
3 across all public higher education campuses. This initiative may also be available to certain not-
4 for-profit campuses that disproportionately serve low-income students as determined by the
5 Student Basic Needs Campus Program office.

6 (b) The commission shall establish the Student Basic Needs Campus Program office. The
7 mission of the office is to support institutions of public higher education to build their capacity to
8 understand and address existing gaps in addressing student food insecurity and hunger on their
9 campus, using interventions that reflect best practices.

10 (c) The office shall assist public higher education campuses to be designated as a "Student
11 Basic Needs Campus" as provided by this section and to meet the eligibility for Student Basic
12 Needs Campus grants. In addition, the office administers the Student Basic Needs Campus Grant
13 Program as established by §18B-21-6 of this code.

14 (d) The office will develop and deliver technical assistance to assist the public higher
15 education campuses to engage in activities and implement interventions that reflect best practices
16 that:

17 (1) Raise awareness on resources available to address basic food needs;

18 (2) Leverage existing infrastructure and maximize current federal programs; and

19 (3) Build strategic partnerships at the federal, state, and local levels to mitigate food
20 insecurity among students.

21 (e) The office shall provide technical assistance to support the knowledge, skills, and
22 comfort the campuses need in order to deliver services as part of this program. Technical
23 assistance may include:

24 (1) Resource and materials development;

25 (2) Consultation;

26 (3) Training;

27 (4) Network development and support; and

28 (5) The statewide Student Basic Needs Campus grant program to support campus efforts
29 to implement measurable, sustainable, and equitable interventions to address the basic food
30 needs of college students in the state.

31 (f) The office shall also administer and advise the chancellor on the Student Basic Needs
32 Campus Grant Program. The Student Basic Needs Campus grants will be awarded to sustain
33 efforts by institutions to implement measurable, sustainable, and equitable solutions to address
34 the basic food needs of college students in the state.

35 (g) The office of capacity building services shall submit a report on common themes and
36 best practices for increasing food security resources available to students to the chancellor as well
37 as the Legislative Oversight Commission on Education Accountability no later than two years after
38 the enactment of this article.

§18B-21-5. Student Basic Needs Campus Initiative - Capacity Building Services

1 (a) The Student Basic Needs Campus Initiative shall partner with public higher education
2 campuses and certain not-for-profit campuses that disproportionately serve low-income students
3 to support implementation of interventions that meet the aforementioned goals including the
4 following five anti-hunger activities. Completion of the initiatives set out in subsection (b) in each

5 academic year will earn the campus the designation of a Student Basic Needs Campus.

6 (b) Campus anti-hunger activities can utilize the initiative's capacity building services and
7 may include:

8 (1) Institutions will designate one staff person to be the Student Basic Needs Campus
9 Coordinator. The coordinator will be the contact person with the Student Basic Needs Campus
10 Program office and oversee the institution's activities.

11 (2) Institutions shall establish a Student Basic Needs Campus Task Force. The Task Force
12 determines the priority activities for the campus for the academic year and can also engage in
13 multi-year campus planning. The Task Force includes, but is not limited to, two or more students
14 with lived experience of food insecurity, a faculty member, a member of the health services staff, a
15 member of the student services staff, a member of the campus dining or food services staff, and a
16 representative from a local hunger-relief organization. The task force shall meet a minimum of
17 twice per academic year in order to plan accordingly for action and program engagement.

18 (3) Institutions will determine mechanisms to notify students who receive need-based
19 financial aid of their potential eligibility to receive Supplemental Nutrition Assistance Program
20 (SNAP) benefits, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
21 benefits, and other federal and state nutrition benefits available to said student or dependents.
22 Mechanisms can include submitting such notification in all financial aid award letters and through
23 financial aid portals available to students. Institutions will make such notification.

24 (4) Institutions will conduct an annual hunger awareness activity in concert with other
25 statewide and national anti-hunger events.

26 (5) Institutions will assess the need to provide access to on-campus food distribution, or to
27 a local off-campus food pantry, or to an on-campus food pantry.

28 (c) Designation as a Student Basic Needs Campus will qualify institutions to apply for
29 Student Basic Needs Campus grants to support their work in addition to demonstrating public
30 recognition of their efforts. Initial designation is for two years, with annual renewal thereafter.

§18B-21-6. Student Basic Needs Campus Grants – Eligible Activities.

1 (a) Subject to available resources at the institution, the commission shall consider
2 awarding Student Basic Needs Campus grants to institutions that have been designated Student
3 Basic Needs Campuses and can demonstrate progress or commitment to implementing one or
4 more of the following anti-hunger initiatives:

5 (1) The establishment of a campus basic needs emergency fund to support students in
6 crisis with emergency expenses associated with but not limited to food, shelter, utilities, and
7 childcare. Such fund will include policies of administration, ways to access, and an identified
8 administration contact.

9 (2) The designation of one or more staff persons whose responsibility is to assist food
10 insecure students access nutrition and other basic needs resources, subject to appropriation.

11 (3) The dissemination of an anonymous brief campus-wide annual survey in which
12 students are asked about their experience with food insecurity; their access to anti-hunger
13 campus resources; awareness and access to Supplemental Nutrition Assistance Program
14 (SNAP) and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
15 benefits. Such questions could be included in other campus-wide surveys.

16 (4) The commitment of on-campus meal vendors to become Electronic Benefits Transfer
17 vendors under the Restaurant Meal Program under the Supplemental Nutrition Assistance
18 Program in order to allow students who are homeless and students with disabilities to use their
19 Supplemental Nutrition Assistance Program benefits to access hot meals.

20 (5) The establishment of an on-campus food pantry.

21 (b) The commission shall establish a grant making process for public higher education
22 campuses and certain not-for-profit campuses that disproportionately serve low-income students,
23 including an application that clarifies eligibility. Following implementation of the award, recipients
24 will be expected to provide basic information to the commission on how the award was used, its
25 deliverables and outcomes.

§18B-21-7. Hunger-Free Campus Grants Administration

1 (a) Grantmaking – Upon recommendation by the Student Basic Needs Campus Program
2 staff, the commission shall allocate funding to institutions designated as Student Basic Needs
3 Campuses as provided under §18B-21-5 of this code. The chancellor, or a designee, shall
4 determine the amount of each grant which shall be used by the institution to address food
5 insecurity among its students in accordance with this initiative. The commission will also establish
6 reporting guidelines for recipients that will support the commission’s need for information as
7 identified below.

8 (b) Grants are available only to public higher education campuses and certain not-for-profit
9 campuses that disproportionately serve low-income students as determined by the Student Basic
10 Needs Campus Program office.

§18B-21-8. The Student Basic Needs Campus Program and Grant Fund.

1 (a) There is hereby created in the State Treasury a special fund to be known as the Student
2 Basic Needs Campus Program and Grant Fund which shall consist of appropriations of moneys to
3 the fund made by the Legislature for the purpose of awarding grants under this article.

4 (b) Expenditures from the trust fund shall be made for the purposes set forth in this article
5 and are not subject to separate appropriation by the Legislature. Any balance in the trust fund at
6 the end of each fiscal year does not expire to the General Revenue fund but remains in the trust
7 fund to be expended as provided by this article.

§18B-21-9. Reporting.

1 (a) The commission shall submit an annual report by July 1 on the Student Basic Needs
2 Campus Grant Program for the preceding fiscal year to the Governor and the Legislative Oversight
3 Commission on Education Accountability. The report will be known as the "annual report".

4 (b) The annual report shall include a review of activities resulting from the Student Basic
5 Needs Campus program, including:

6 (1) Identifying the institutions participating in the Student Basic Needs Campus program;

7 (2) Describing the activities that have occurred on participating campuses in response to
8 hunger and food insecurity in students;

9 (3) The level of student engagement in activities; and

10 (4) The outcomes resulting from activities.

11 (c) The annual report shall also provide information on Student Basic Needs Campus
12 grantmaking, including:

13 (1) The number and amounts of the grant awards;

14 (2) The recipients of such awards;

15 (3) The activities supported by awards;

16 (4) The impact of the Student Basic Needs Campus Initiative and its grants on the
17 participation of institutions in the Student Basic Needs Campus designation and in reducing the
18 number of students experiencing food insecurity; and

19 (5) Recommendations on the future and potential expansion of the Student Basic Needs
20 Campus Grant Program.

§18B-21-10. Legislative Rules.

1 (a) The commission shall propose a legislative rule pursuant to §29A-3A-1 et seq. of this
2 code to implement the provisions of this article and shall file the rule with the Legislative Oversight
3 Commission on Education Accountability no later than October 1, 2023.

4 (b) The Legislature finds that an emergency exists and, therefore, the commission shall
5 propose an emergency rule to implement the provisions of this article in accordance with section
6 six, article one of this chapter and §29A-3A-1 et seq. of this code by October 1, 2023.

NOTE: The purpose of this bill relates to the Student Basic Needs Campus Initiative; establishing the Student Basic Needs Campus Initiative; authorizing the creation of the Student Basic Needs Campus Program office; establishing the duties of the Hunger Free Campus Program office; authorizing the Student Basic Needs Campus Program office to administer and advise the chancellor on the Student Basic Needs Campus Grant Program; establishing the requirement for designation as a Student Basic Needs Campus; setting requirements for awarding Student Basic Needs grants; addressing Student Basic Needs Campus grant administration; creating the Student Basic Needs Campus Program and

Grant Fund; setting forth reporting requirements; and authorizing legislative rules.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.