

By: Lozano

H.B. No. 3179

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the Texas college work-study program and to
3 establishing a program for the off-campus employment of certain
4 students at public or private institutions of higher education.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 56.076(a), Education Code, is amended to
7 read as follows:

8 (a) An eligible institution may employ eligible students
9 [~~enter into agreements with employers that participate~~] in the
10 work-study program. To be eligible to participate in the
11 work-study program, an eligible institution [~~employer~~] must:

12 (1) provide part-time employment to an eligible
13 student in nonpartisan and nonsectarian activities;

14 (2) provide, insofar as is practicable, employment to
15 an eligible student that is related to the student's academic
16 interests;

17 (3) use Texas college work-study program positions
18 only to supplement and not to supplant positions normally filled by
19 persons not eligible to participate in the work-study program;

20 (4) provide from sources other than federal college
21 work-study program funds a percentage of an employed student's
22 wages that is equal to the percentage of a student's wages that the
23 eligible institution [~~employer~~] would be required to provide to the
24 student in that academic year under the federal college work-study

1 program; and

2 (5) provide from sources other than federal college
3 work-study funds 100 percent of other employee benefits for the
4 employed student.

5 SECTION 2. Section 56.078, Education Code, is amended to
6 read as follows:

7 Sec. 56.078. FUNDING. Funding to cover the state's
8 contribution toward the funding of the work-study program under
9 this subchapter and the Texas WORKS internship program under
10 Subchapter E-1 is payable from funds appropriated for that purpose.

11 SECTION 3. Section 56.082(a), Education Code, is amended
12 to read as follows:

13 (a) Not later than January 1 of each odd-numbered year, the
14 Texas Higher Education Coordinating Board shall submit to the
15 standing legislative committees with primary jurisdiction over
16 higher education and post on the coordinating board's Internet
17 website a report on the Texas college work-study program and the
18 Texas WORKS internship program. The report must include the total
19 number of students employed through the programs [~~program~~],
20 disaggregated by:

21 (1) the employment position's location on or off
22 campus; and

23 (2) the employer's status as a for-profit or nonprofit
24 entity.

25 SECTION 4. Chapter 56, Education Code, is amended by adding
26 Subchapter E-1 to read as follows:

27 SUBCHAPTER E-1. TEXAS WORKING OFF-CAMPUS: REINFORCING KNOWLEDGE

1 AND SKILLS (WORKS) INTERNSHIP PROGRAM

2 Sec. 56.0851. DEFINITIONS. In this subchapter:

3 (1) "Coordinating board" means the Texas Higher
4 Education Coordinating Board.

5 (2) "Eligible wages" means gross wages paid to an
6 individual student, not to exceed the amount approved by the
7 coordinating board.

8 (3) "Program" or "Texas WORKS internship program"
9 means the Texas Working Off-Campus: Reinforcing Knowledge and
10 Skills (WORKS) Internship Program.

11 Sec. 56.0852. PROGRAM NAME. The student financial
12 assistance program authorized by this subchapter shall be known as
13 the Texas Working Off-Campus: Reinforcing Knowledge and Skills
14 (WORKS) Internship Program.

15 Sec. 56.0853. PURPOSE. The purpose of this subchapter is to
16 provide jobs funded in part by the State of Texas to eligible
17 students with financial need to enable those students to attend
18 eligible public or private institutions of higher education in
19 Texas.

20 Sec. 56.0854. ADMINISTRATIVE AUTHORITY. (a) The
21 coordinating board shall administer the program and collaborate
22 with eligible institutions and employers to provide eligible
23 students with part-time employment funded in part by the state.

24 (b) State support for the program may not exceed the amount
25 specified by appropriation.

26 (c) The coordinating board shall establish criteria to
27 ensure that:

1 (1) each eligible employer has demonstrated the
2 administrative and financial capacity to carry out the employer's
3 responsibilities under the program, including the ability to pay
4 full wages and benefits to a student employed through the program;
5 and

6 (2) a participating employer is reimbursed under the
7 program at the rate established by the coordinating board only for
8 fully paid eligible wages.

9 (d) The coordinating board shall develop a standard
10 contract establishing the roles and responsibilities of eligible
11 employers. The coordinating board shall use the standard contract
12 as a model for the memorandum of understanding that the
13 coordinating board will require for participation in the program.

14 (e) The coordinating board shall reimburse an eligible
15 employer at a rate established by the coordinating board for the
16 eligible wages paid by the employer to a student participating in
17 the program.

18 (f) The coordinating board shall establish the rate or rates
19 at which employers are required to pay students participating in
20 the program.

21 (g) The coordinating board may use funds appropriated for
22 the Texas college work-study program and the Texas WORKS internship
23 program to establish and maintain an online portal for use by
24 students and participating entities in fulfilling their
25 responsibilities for participation in the Texas WORKS internship
26 program. The coordinating board may use funds appropriated for the
27 Texas college work-study program and the Texas WORKS internship

1 program to cover the expenses and personnel costs of administering
2 and assessing this program.

3 (h) If funding for the program is insufficient to cover the
4 cost of all eligible students, priority for funding is based on the
5 order of application, as determined through coordinating board
6 rules, as well as any additional priority eligibility criteria
7 established by coordinating board rules.

8 Sec. 56.0855. ELIGIBLE INSTITUTION. For purposes of this
9 subchapter, an eligible institution is:

10 (1) an institution of higher education, as defined by
11 Section 61.003; or

12 (2) a private or independent institution of higher
13 education, as defined by Section 61.003.

14 Sec. 56.0856. ELIGIBLE STUDENT. (a) To be eligible for
15 employment in the program a person must:

16 (1) be a Texas resident as defined by coordinating
17 board rules;

18 (2) be enrolled full-time in an undergraduate degree
19 or certificate program;

20 (3) establish financial need in accordance with
21 coordinating board procedures and rules established for the
22 program;

23 (4) meet eligibility criteria established by the
24 coordinating board; and

25 (5) comply with other requirements adopted by the
26 coordinating board under this section.

27 (b) A person is not eligible to participate in the program

1 if the person:

2 (1) is receiving an athletic scholarship;

3 (2) is enrolled in a seminary or other program leading
4 to ordination or licensure to perform religious duties for a
5 religious sect or to be a member of a religious order; or

6 (3) has completed a baccalaureate degree.

7 (c) The amount of a student's gross wage eligibility under
8 the program is an amount determined by coordinating board rule, and
9 funds received by students as eligible wages under the program are
10 not considered as financial aid for the academic year in which they
11 are earned.

12 Sec. 56.0857. ELIGIBLE EMPLOYER. (a) The coordinating
13 board may enter into agreements with employers that participate in
14 the program.

15 (b) To be eligible to enter into an agreement with the
16 coordinating board to participate in the program, an employer must:

17 (1) be a private nonprofit or for-profit entity or a
18 governmental entity, other than an eligible institution or a career
19 school or college as defined by Section 132.001;

20 (2) enter into a memorandum of understanding with the
21 coordinating board;

22 (3) provide part-time employment to an eligible
23 student in nonpartisan and nonsectarian activities that relate to
24 the student's long-term career interests;

25 (4) use program positions only to supplement and not
26 to supplant positions normally filled by persons not eligible to
27 participate in the program;

1 (5) provide the entirety of an employed student's
2 wages and employee benefits;

3 (6) submit only eligible wages to the coordinating
4 board for reimbursement;

5 (7) use a wage rate established by the coordinating
6 board;

7 (8) meet eligibility criteria established by the
8 coordinating board; and

9 (9) comply with other requirements adopted by the
10 coordinating board under this section.

11 Sec. 56.0858. ADOPTION AND DISTRIBUTION OF RULES. (a) The
12 coordinating board may adopt reasonable rules, consistent with the
13 purposes and policies of this subchapter, to enforce the
14 requirements, conditions, and limitations provided by this
15 subchapter.

16 (b) The coordinating board shall adopt rules necessary to
17 ensure compliance with the Civil Rights Act of 1964, Title VI (Pub.
18 L. No. 88-352), concerning nondiscrimination in admissions or
19 employment.

20 (c) The coordinating board shall distribute to each
21 eligible institution copies of the rules adopted under this
22 subchapter.

23 Sec. 56.0859. ONLINE LIST OF TEXAS WORKS EMPLOYMENT
24 OPPORTUNITIES. The coordinating board shall:

25 (1) establish and maintain an online listing of Texas
26 WORKS internship program employment opportunities available to
27 students, sortable by department, as appropriate; and

1 (2) ensure that the list is easily accessible to the
2 public through a clearly identifiable link that appears in a
3 prominent place on the coordinating board's Internet website.

4 SECTION 5. Section 56.076(b), Education Code, is repealed.

5 SECTION 6. (a) As soon as practicable after the effective
6 date of this Act, the commissioner of the Texas Higher Education
7 Coordinating Board shall develop the rules and procedures necessary
8 for the implementation of Subchapter E-1, Chapter 56, Education
9 Code, as added by this Act.

10 (b) The changes in law made by this Act apply beginning with
11 the 2017 fall semester.

12 SECTION 7. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2017.