

By: West  
(Lozano, Guillen)

S.B. No. 1467

Substitute the following for S.B. No. 1467:

By: Lozano

C.S.S.B. No. 1467

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

if the person:

(1) is receiving an athletic scholarship;

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

(3) has completed a baccalaureate degree.

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

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

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

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

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

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

(4) use program positions only to supplement and not to supplant positions normally filled by persons not eligible to 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.