

1-1 By: West S.B. No. 1467
1-2 (In the Senate - Filed March 8, 2017; March 20, 2017, read
1-3 first time and referred to Committee on Higher Education;
1-4 April 6, 2017, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 6, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Seliger	X		
1-9	West	X		
1-10	Bettencourt	X		
1-11	Buckingham	X		
1-12	Menéndez	X		
1-13	Taylor of Galveston	X		
1-14	Watson	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the Texas college work-study program and to
1-18 establishing a program for the off-campus employment of certain
1-19 students at public or private institutions of higher education.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 56.076(a), Education Code, is amended to
1-22 read as follows:

1-23 (a) An eligible institution may employ eligible students
1-24 ~~[enter into agreements with employers that participate]~~ in the
1-25 work-study program. To be eligible to participate in the
1-26 work-study program, an eligible institution ~~[employer]~~ must:

1-27 (1) provide part-time employment to an eligible
1-28 student in nonpartisan and nonsectarian activities;

1-29 (2) provide, insofar as is practicable, employment to
1-30 an eligible student that is related to the student's academic
1-31 interests;

1-32 (3) use Texas college work-study program positions
1-33 only to supplement and not to supplant positions normally filled by
1-34 persons not eligible to participate in the work-study program;

1-35 (4) provide from sources other than federal college
1-36 work-study program funds a percentage of an employed student's
1-37 wages that is equal to the percentage of a student's wages that the
1-38 eligible institution ~~[employer]~~ would be required to provide to the
1-39 student in that academic year under the federal college work-study
1-40 program; and

1-41 (5) provide from sources other than federal college
1-42 work-study funds 100 percent of other employee benefits for the
1-43 employed student.

1-44 SECTION 2. Section 56.078, Education Code, is amended to
1-45 read as follows:

1-46 Sec. 56.078. FUNDING. Funding to cover the state's
1-47 contribution toward the funding of the work-study program under
1-48 this subchapter and the Texas WORKS internship program under
1-49 Subchapter E-1 is payable from funds appropriated for that purpose.

1-50 SECTION 3. Section 56.082(a), Education Code, is amended to
1-51 read as follows:

1-52 (a) Not later than January 1 of each odd-numbered year, the
1-53 Texas Higher Education Coordinating Board shall submit to the
1-54 standing legislative committees with primary jurisdiction over
1-55 higher education and post on the coordinating board's Internet
1-56 website a report on the Texas college work-study program and the
1-57 Texas WORKS internship program. The report must include the total
1-58 number of students employed through the programs ~~[program]~~,
1-59 disaggregated by:

1-60 (1) the employment position's location on or off
1-61 campus; and

2-1 (2) the employer's status as a for-profit or nonprofit
2-2 entity.

2-3 SECTION 4. Chapter 56, Education Code, is amended by adding
2-4 Subchapter E-1 to read as follows:

2-5 SUBCHAPTER E-1. TEXAS WORKING OFF-CAMPUS: REINFORCING KNOWLEDGE
2-6 AND SKILLS (WORKS) INTERNSHIP PROGRAM

2-7 Sec. 56.0851. DEFINITIONS. In this subchapter:

2-8 (1) "Coordinating board" means the Texas Higher
2-9 Education Coordinating Board.

2-10 (2) "Eligible wages" means gross wages paid to an
2-11 individual student, not to exceed the amount approved by the
2-12 coordinating board.

2-13 (3) "Program" or "Texas WORKS internship program"
2-14 means the Texas Working Off-Campus: Reinforcing Knowledge and
2-15 Skills (WORKS) Internship Program.

2-16 Sec. 56.0852. PROGRAM NAME. The student financial
2-17 assistance program authorized by this subchapter shall be known as
2-18 the Texas Working Off-Campus: Reinforcing Knowledge and Skills
2-19 (WORKS) Internship Program.

2-20 Sec. 56.0853. PURPOSE. The purpose of this subchapter is to
2-21 provide jobs funded in part by the State of Texas to eligible
2-22 students with financial need to enable those students to attend
2-23 eligible public or private institutions of higher education in
2-24 Texas.

2-25 Sec. 56.0854. ADMINISTRATIVE AUTHORITY. (a) The
2-26 coordinating board shall administer the program and collaborate
2-27 with eligible institutions and employers to provide eligible
2-28 students with part-time employment funded in part by the state.

2-29 (b) State support for the program may not exceed the amount
2-30 specified by appropriation.

2-31 (c) The coordinating board shall establish criteria to
2-32 ensure that:

2-33 (1) each eligible employer has demonstrated the
2-34 administrative and financial capacity to carry out the employer's
2-35 responsibilities under the program, including the ability to pay
2-36 full wages and benefits to a student employed through the program;
2-37 and

2-38 (2) a participating employer is reimbursed under the
2-39 program at the rate established by the coordinating board only for
2-40 fully paid eligible wages.

2-41 (d) The coordinating board shall develop a standard
2-42 contract establishing the roles and responsibilities of eligible
2-43 employers. The coordinating board shall use the standard contract
2-44 as a model for the memorandum of understanding that the
2-45 coordinating board will require for participation in the program.

2-46 (e) The coordinating board shall reimburse an eligible
2-47 employer at a rate established by the coordinating board for the
2-48 eligible wages paid by the employer to a student participating in
2-49 the program.

2-50 (f) The coordinating board shall establish the rate or rates
2-51 at which employers are required to pay students participating in
2-52 the program.

2-53 (g) The coordinating board may use funds appropriated for
2-54 the Texas college work-study program and the Texas WORKS internship
2-55 program to establish and maintain an online portal for use by
2-56 students and participating entities in fulfilling their
2-57 responsibilities for participation in the Texas WORKS internship
2-58 program. The coordinating board may use funds appropriated for the
2-59 Texas college work-study program and the Texas WORKS internship
2-60 program to cover the expenses and personnel costs of administering
2-61 and assessing this program.

2-62 (h) If funding for the program is insufficient to cover the
2-63 cost of all eligible students, priority for funding is based on the
2-64 order of application, as determined through coordinating board
2-65 rules, as well as any additional priority eligibility criteria
2-66 established by coordinating board rules.

2-67 Sec. 56.0855. ELIGIBLE INSTITUTION. For purposes of this
2-68 subchapter, an eligible institution is:

2-69 (1) an institution of higher education, as defined by

3-1 Section 61.003; or
3-2 (2) a private or independent institution of higher
3-3 education, as defined by Section 61.003.
3-4 Sec. 56.0856. ELIGIBLE STUDENT. (a) To be eligible for
3-5 employment in the program a person must:
3-6 (1) be a Texas resident as defined by coordinating
3-7 board rules;
3-8 (2) be enrolled full-time in an undergraduate degree
3-9 or certificate program;
3-10 (3) establish financial need in accordance with
3-11 coordinating board procedures and rules established for the
3-12 program;
3-13 (4) meet eligibility criteria established by the
3-14 coordinating board; and
3-15 (5) comply with other requirements adopted by the
3-16 coordinating board under this section.
3-17 (b) A person is not eligible to participate in the program
3-18 if the person:
3-19 (1) is receiving an athletic scholarship;
3-20 (2) is enrolled in a seminary or other program leading
3-21 to ordination or licensure to perform religious duties for a
3-22 religious sect or to be a member of a religious order; or
3-23 (3) has completed a baccalaureate degree.
3-24 (c) The amount of a student's gross wage eligibility under
3-25 the program is an amount determined by coordinating board rule, and
3-26 funds received by students as eligible wages under the program are
3-27 not considered as financial aid for the academic year in which they
3-28 are earned.
3-29 Sec. 56.0857. ELIGIBLE EMPLOYER. (a) The coordinating
3-30 board may enter into agreements with employers that participate in
3-31 the program.
3-32 (b) To be eligible to enter into an agreement with the
3-33 coordinating board to participate in the program, an employer must:
3-34 (1) be a private nonprofit or for-profit entity or a
3-35 governmental entity, other than an eligible institution or a career
3-36 school or college as defined by Section 132.001;
3-37 (2) enter into a memorandum of understanding with the
3-38 coordinating board;
3-39 (3) provide part-time employment to an eligible
3-40 student in nonpartisan and nonsectarian activities that relate to
3-41 the student's long-term career interests;
3-42 (4) use program positions only to supplement and not
3-43 to supplant positions normally filled by persons not eligible to
3-44 participate in the program;
3-45 (5) provide the entirety of an employed student's
3-46 wages and employee benefits;
3-47 (6) submit only eligible wages to the coordinating
3-48 board for reimbursement;
3-49 (7) use a wage rate established by the coordinating
3-50 board;
3-51 (8) meet eligibility criteria established by the
3-52 coordinating board; and
3-53 (9) comply with other requirements adopted by the
3-54 coordinating board under this section.
3-55 Sec. 56.0858. ADOPTION AND DISTRIBUTION OF RULES. (a) The
3-56 coordinating board may adopt reasonable rules, consistent with the
3-57 purposes and policies of this subchapter, to enforce the
3-58 requirements, conditions, and limitations provided by this
3-59 subchapter.
3-60 (b) The coordinating board shall adopt rules necessary to
3-61 ensure compliance with the Civil Rights Act of 1964, Title VI (Pub.
3-62 L. No. 88-352), concerning nondiscrimination in admissions or
3-63 employment.
3-64 (c) The coordinating board shall distribute to each
3-65 eligible institution copies of the rules adopted under this
3-66 subchapter.
3-67 Sec. 56.0859. ONLINE LIST OF TEXAS WORKS EMPLOYMENT
3-68 OPPORTUNITIES. The coordinating board shall:
3-69 (1) establish and maintain an online listing of Texas

4-1 WORKS internship program employment opportunities available to
4-2 students, sortable by department, as appropriate; and
4-3 (2) ensure that the list is easily accessible to the
4-4 public through a clearly identifiable link that appears in a
4-5 prominent place on the coordinating board's Internet website.

4-6 SECTION 5. Section 56.076(b), Education Code, is repealed.

4-7 SECTION 6. (a) As soon as practicable after the effective
4-8 date of this Act, the commissioner of the Texas Higher Education
4-9 Coordinating Board shall develop the rules and procedures necessary
4-10 for the implementation of Subchapter E-1, Chapter 56, Education
4-11 Code, as added by this Act.

4-12 (b) The changes in law made by this Act apply beginning with
4-13 the 2017 fall semester.

4-14 SECTION 7. This Act takes effect immediately if it receives
4-15 a vote of two-thirds of all the members elected to each house, as
4-16 provided by Section 39, Article III, Texas Constitution. If this
4-17 Act does not receive the vote necessary for immediate effect, this
4-18 Act takes effect September 1, 2017.

4-19 * * * * *