

Amend CSHB 3808 (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 56.074, Education Code, is amended to read as follows:

Sec. 56.074. ELIGIBLE INSTITUTION; PARTICIPATION REQUIREMENTS. (a) An eligible institution is:

(1) an institution of higher education; or
(2) a private or independent college, university, association, agency, institution, or facility that is located in this state which meets program standards and accreditation comparable to public institutions as determined by the board.

(b) To participate in the Texas college work-study program, an eligible institution must:

(1) provide 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 work-study program positions only to supplement and not 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 would be required to provide to the student in that academic year under the federal college work-study program; and

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

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

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

SECTION 3. Section 56.082, Education Code, is amended to

read as follows:

Sec. 56.082. ANNUAL REPORT. Not later than January 1 of each year, the Texas Higher Education Coordinating Board shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over higher education and post on the coordinating board's Internet website a report on the Texas college work-study program and the Texas WORKS internship program under Subchapter E-1. The report must include the total number of students employed through the programs [~~program~~], disaggregated by:

- (1) race, ethnicity, and gender;
- (2) major and certificate or degree program;
- (3) classification as a freshman, sophomore, junior, or senior or the equivalent;
- (4) enrollment in a full course load or less than a full course load, as determined by the coordinating board;
- (5) the employment position's location on or off campus; and
- (6) the employer's status as a for-profit or nonprofit entity.

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

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

Sec. 56.0851. DEFINITIONS. In this subchapter:

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

(2) "Eligible wages" means gross wages paid to an individual student in the student's program employment.

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

Sec. 56.0852. PROGRAM NAME. The student financial assistance program authorized by this subchapter is the Texas Working Off-Campus: Reinforcing Knowledge and Skills (WORKS) Internship Program.

Sec. 56.0853. PURPOSE. The purpose of the program is to provide jobs funded in part by the State of Texas to enable students employed through the program to attend public or private institutions of higher education in Texas while exploring career options and strengthening marketable skills.

Sec. 56.0854. ADMINISTRATION. (a) The coordinating board shall administer the program and collaborate with eligible employers to provide students employed through the program with employment funded in part by the state.

(b) The coordinating board shall establish criteria to ensure that:

(1) a participating employer is reimbursed under the program at the rate established by the coordinating board only for fully paid eligible wages; and

(2) marketable skills to be strengthened or gained through a student's internship position are identified.

(c) The coordinating board shall develop a standard contract establishing the roles and responsibilities of eligible employers, base wages and minimum work hours for students employed through the program, and any other provisions identified by the coordinating board as necessary to administer the program. The coordinating board shall use the standard contract as a model for the memorandum of understanding required to be entered into by eligible employers.

(d) The coordinating board may use funds appropriated for the Texas college work-study program and the Texas WORKS internship program to establish and maintain an online portal for use by students and participating entities in fulfilling their responsibilities for participation in the Texas WORKS internship program. The coordinating board may use funds appropriated for the Texas college work-study program and the Texas WORKS internship program to cover the expenses and personnel costs of administering and assessing the Texas WORKS internship program.

(e) If funding for the program is insufficient to cover the cost of all students eligible for the program, as provided by coordinating board rule, priority for funding is based on eligibility criteria established by coordinating board rule to

further the purposes of the program.

(f) Funds received by students employed through the program as eligible wages are not considered as financial aid for the academic year in which the funds are earned.

Sec. 56.0855. 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) except as provided by Subsection (c), be a private nonprofit or for-profit entity or a governmental entity;

(2) demonstrate the administrative and financial capacity to carry out the employer's responsibilities under the program, including the ability to pay full wages and benefits to a student employed through the program;

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

(4) provide employment to a student employed through the program in nonpartisan and nonsectarian activities that relate to the student's long-term career interests;

(5) use program positions only to supplement and not supplant positions normally filled by persons who are not eligible to participate in the program, as provided by coordinating board rule;

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

(7) submit eligible wages to the coordinating board for reimbursement; and

(8) comply with other requirements adopted by the coordinating board under this subchapter.

(c) An employer is not eligible to participate in the program if the employer is:

(1) a public or private institution of higher education in Texas; or

(2) a career school or college, as defined by Section 132.001.

Sec. 56.0856. ADOPTION OF RULES. (a) The coordinating

board shall adopt reasonable rules, consistent with the purpose of the program, to enforce the requirements, conditions, and limitations provided by this subchapter.

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

Sec. 56.0857. ONLINE LIST OF TEXAS WORKS EMPLOYMENT OPPORTUNITIES. The coordinating board shall:

(1) establish and maintain an online listing of Texas WORKS internship program employment opportunities available to students, sortable by employer, and include other relevant features such as job description, job field, or skills required, as appropriate; and

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

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

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

(b) The changes in law made by this Act apply beginning with the 2020 summer term.

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.