

By: Turner of Tarrant, Pacheco, Guillen

H.B. No. 3042

A BILL TO BE ENTITLED

1 AN ACT

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. The heading to Section 56.076, Education Code,  
7 is amended to read as follows:

8 Sec. 56.076. EMPLOYMENT UNDER PROGRAM [~~ELIGIBLE EMPLOYER~~].

9 SECTION 2. Section 56.076(a), Education Code, is amended to  
10 read as follows:

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

15 (1) provide [~~part-time~~] employment to an eligible  
16 student in nonpartisan and nonsectarian activities;

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

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

23 (4) provide from sources other than federal college  
24 work-study program funds a percentage of an employed student's

1 wages that is equal to the percentage of a student's wages that the  
2 eligible institution [~~employer~~] would be required to provide to the  
3 student in that academic year under the federal college work-study  
4 program; and

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

8 SECTION 3. Section 56.078, Education Code, is amended to  
9 read as follows:

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

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

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

18 Sec. 56.0851. DEFINITIONS. In this subchapter:

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

21 (2) "Eligible institution" means:

22 (A) an institution of higher education; or

23 (B) a private or independent institution of  
24 higher education.

25 (3) "Eligible wages" means gross wages paid to an  
26 individual student.

27 (4) "Private or independent institution of higher

1 education" has the meaning assigned by Section 61.003.

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

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

9 Sec. 56.0853. PURPOSE. The purpose of this subchapter is to  
10 provide jobs funded in part by the State of Texas to enable students  
11 to attend eligible institutions, explore career options, and  
12 strengthen marketable skills.

13 Sec. 56.0854. ADMINISTRATIVE AUTHORITY. (a) The  
14 coordinating board shall administer the program and collaborate  
15 with participating employers to provide students with employment  
16 funded in part by the state.

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

19 (c) The coordinating board shall establish criteria to  
20 ensure that:

21 (1) each participating employer has demonstrated the  
22 administrative and financial capacity to carry out the employer's  
23 responsibilities under the program, including the ability to pay  
24 full wages and benefits to a student employed through the program;

25 (2) each participating employer is reimbursed under  
26 the program at the contracted rate only for eligible wages paid in  
27 full to a participating student; and

1           (3) the marketable skills to be strengthened or gained  
2 through internships under the program have been identified.

3           (d) The coordinating board shall develop a standard  
4 contract establishing the roles and responsibilities of  
5 participating employers, including base wages, minimum work hours,  
6 and any other provision necessary to carry out the purposes of this  
7 subchapter. The coordinating board shall use the standard contract  
8 as a model for the memorandum of understanding that the  
9 coordinating board will require for participation in the program.

10          (e) The coordinating board shall reimburse a participating  
11 employer at the contracted rate for the eligible wages paid by the  
12 employer to a student participating in the program.

13          (f) The coordinating board may use funds appropriated for  
14 the Texas college work-study program and the Texas WORKS internship  
15 program to establish and maintain an online portal for use by  
16 students and participating entities in fulfilling their  
17 responsibilities for participation in the Texas WORKS internship  
18 program. The coordinating board may use funds appropriated for the  
19 Texas college work-study program and the Texas WORKS internship  
20 program to cover the expenses and personnel costs of administering  
21 and assessing this program.

22          (g) If funding for the program is insufficient to cover the  
23 cost of all students seeking to participate in the program,  
24 priority for funding is based on the criteria established by  
25 coordinating board rules.

26          (h) Funds received by students as eligible wages under the  
27 program are not considered as financial aid for the academic year in

1 which they are earned.

2 Sec. 56.0855. PARTICIPATING EMPLOYER. (a) The  
3 coordinating board may enter into agreements with employers that  
4 participate in the program.

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

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

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

12 (3) provide employment to a student in nonpartisan and  
13 nonsectarian activities that relate to the student's long-term  
14 career interests;

15 (4) use program positions only to supplement and not  
16 to supplant positions normally filled by persons not eligible to  
17 participate in the program;

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

20 (6) submit only eligible wages to the coordinating  
21 board for reimbursement;

22 (7) meet the criteria for participating as established  
23 by the coordinating board; and

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

26 Sec. 56.0856. ADOPTION AND DISTRIBUTION OF RULES. (a) The  
27 coordinating board shall adopt reasonable rules, consistent with

1 the purposes and policies of this subchapter, to enforce the  
2 requirements, conditions, and limitations provided by this  
3 subchapter.

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

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

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

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

16 Sec. 56.0858. BIENNIAL REPORT. Not later than January 1 of  
17 each odd-numbered year, the coordinating board shall submit to each  
18 standing legislative committee with primary jurisdiction over  
19 higher education and post on the board's Internet website a report  
20 on the Texas WORKS internship program. The report must include the  
21 total number of students employed through the program,  
22 disaggregated by:

23 (1) the location of the employment; and

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

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

27 SECTION 6. (a) As soon as practicable after the effective

1 date of this Act, the commissioner of the Texas Higher Education  
2 Coordinating Board shall develop the rules and procedures necessary  
3 for the implementation of Subchapter E-1, Chapter 56, Education  
4 Code, as added by this Act.

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

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