

By: Turner of Tarrant, Pacheco

H.B. No. 3042

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

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

SECTION 2. 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

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.