

By: West, et al.
(Turner of Tarrant)

S.B. No. 1192

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 56.074, 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;

1 (4) provide from sources other than federal college
2 work-study program funds a percentage of an employed student's
3 wages that is equal to the percentage of a student's wages that the
4 eligible institution would be required to provide to the student in
5 that academic year under the federal college work-study program;
6 and

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

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

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

16 SECTION 3. Section 56.082, Education Code, is amended to
17 read as follows:

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

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

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

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

15 Sec. 56.0851. DEFINITIONS. In this subchapter:

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

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

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

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

27 Sec. 56.0853. PURPOSE. The purpose of the program is to

1 provide jobs funded in part by the State of Texas to enable students
2 employed through the program to attend public or private
3 institutions of higher education in Texas while exploring career
4 options and strengthening marketable skills.

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

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

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

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

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

24 (d) The coordinating board may use funds appropriated for
25 the Texas college work-study program and the Texas WORKS internship
26 program to establish and maintain an online portal for use by
27 students and participating entities in fulfilling their

1 responsibilities for participation in the Texas WORKS internship
2 program. The coordinating board may use funds appropriated for the
3 Texas college work-study program and the Texas WORKS internship
4 program to cover the expenses and personnel costs of administering
5 and assessing the Texas WORKS internship program.

6 (e) If funding for the program is insufficient to cover the
7 cost of all students eligible for the program, as provided by
8 coordinating board rule, priority for funding is based on
9 eligibility criteria established by coordinating board rule to
10 further the purposes of the program.

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

14 Sec. 56.0855. ELIGIBLE EMPLOYER. (a) The coordinating
15 board may enter into agreements with employers that participate in
16 the program.

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

19 (1) except as provided by Subsection (c), be a private
20 nonprofit or for-profit entity or a governmental entity;

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

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

27 (4) provide employment to a student employed through

1 the program in nonpartisan and nonsectarian activities that relate
2 to the student's long-term career interests;

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

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

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

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

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

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

17 (2) a career school or college, as defined by Section
18 [132.001](#).

19 Sec. 56.0856. ADOPTION OF RULES. (a) The coordinating
20 board shall adopt reasonable rules, consistent with the purpose of
21 the program, to enforce the requirements, conditions, and
22 limitations provided by this subchapter.

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

27 Sec. 56.0857. ONLINE LIST OF TEXAS WORKS EMPLOYMENT

1 OPPORTUNITIES. The coordinating board shall:

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

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

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

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

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

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