

1-1 By: West S.B. No. 1192
 1-2 (In the Senate - Filed February 27, 2019; March 7, 2019,
 1-3 read first time and referred to Committee on Higher Education;
 1-4 April 24, 2019, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; April 24, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the Texas college work-study program and to
 1-20 establishing a program for the off-campus employment of certain
 1-21 students at public or private institutions of higher education.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 56.074, Education Code, is amended to
 1-24 read as follows:

1-25 Sec. 56.074. ELIGIBLE INSTITUTION; PARTICIPATION
 1-26 REQUIREMENTS. (a) An eligible institution is:

- 1-27 (1) an institution of higher education; or
- 1-28 (2) a private or independent college, university,
 1-29 association, agency, institution, or facility that is located in
 1-30 this state which meets program standards and accreditation
 1-31 comparable to public institutions as determined by the board.

1-32 (b) To participate in the Texas college work-study program,
 1-33 an eligible institution must:

- 1-34 (1) provide employment to an eligible student in
 1-35 nonpartisan and nonsectarian activities;
- 1-36 (2) provide, insofar as is practicable, employment to
 1-37 an eligible student that is related to the student's academic
 1-38 interests;
- 1-39 (3) use work-study program positions only to
 1-40 supplement and not supplant positions normally filled by persons
 1-41 not eligible to participate in the work-study program;
- 1-42 (4) provide from sources other than federal college
 1-43 work-study program funds a percentage of an employed student's
 1-44 wages that is equal to the percentage of a student's wages that the
 1-45 eligible institution would be required to provide to the student in
 1-46 that academic year under the federal college work-study program;
 1-47 and

1-48 (5) provide from sources other than federal college
 1-49 work-study funds 100 percent of other employee benefits for the
 1-50 employed student.

1-51 SECTION 2. Section 56.078, Education Code, is amended to
 1-52 read as follows:

1-53 Sec. 56.078. FUNDING. Funding to cover the state's
 1-54 contribution toward the funding of the work-study program under
 1-55 this subchapter and the Texas WORKS internship program under
 1-56 Subchapter E-1 is payable from funds appropriated for that purpose.

1-57 SECTION 3. Section 56.082, Education Code, is amended to
 1-58 read as follows:

1-59 Sec. 56.082. ANNUAL REPORT. Not later than January 1 of
 1-60 each year, the Texas Higher Education Coordinating Board shall
 1-61 submit to the governor, the lieutenant governor, the speaker of the
 1-62 house of representatives, and the standing legislative committees

2-1 with primary jurisdiction over higher education and post on the
2-2 coordinating board's Internet website a report on the Texas college
2-3 work-study program and the Texas WORKS internship program under
2-4 Subchapter E-1. The report must include the total number of
2-5 students employed through the programs [~~program~~], disaggregated
2-6 by:

- 2-7 (1) race, ethnicity, and gender;
- 2-8 (2) major and certificate or degree program;
- 2-9 (3) classification as a freshman, sophomore, junior,
2-10 or senior or the equivalent;
- 2-11 (4) enrollment in a full course load or less than a
2-12 full course load, as determined by the coordinating board;
- 2-13 (5) the employment position's location on or off
2-14 campus; and
- 2-15 (6) the employer's status as a for-profit or nonprofit
2-16 entity.

2-17 SECTION 4. Chapter 56, Education Code, is amended by adding
2-18 Subchapter E-1 to read as follows:

2-19 SUBCHAPTER E-1. TEXAS WORKING OFF-CAMPUS: REINFORCING KNOWLEDGE
2-20 AND SKILLS (WORKS) INTERNSHIP PROGRAM

2-21 Sec. 56.0851. DEFINITIONS. In this subchapter:

2-22 (1) "Coordinating board" means the Texas Higher
2-23 Education Coordinating Board.

2-24 (2) "Eligible wages" means gross wages paid to an
2-25 individual student in the student's program employment.

2-26 (3) "Program" or "Texas WORKS internship program"
2-27 means the Texas Working Off-Campus: Reinforcing Knowledge and
2-28 Skills (WORKS) Internship Program.

2-29 Sec. 56.0852. PROGRAM NAME. The student financial
2-30 assistance program authorized by this subchapter is the Texas
2-31 Working Off-Campus: Reinforcing Knowledge and Skills (WORKS)
2-32 Internship Program.

2-33 Sec. 56.0853. PURPOSE. The purpose of the program is to
2-34 provide jobs funded in part by the State of Texas to enable students
2-35 employed through the program to attend public or private
2-36 institutions of higher education in Texas while exploring career
2-37 options and strengthening marketable skills.

2-38 Sec. 56.0854. ADMINISTRATION. (a) The coordinating board
2-39 shall administer the program and collaborate with eligible
2-40 employers to provide students employed through the program with
2-41 employment funded in part by the state.

2-42 (b) The coordinating board shall establish criteria to
2-43 ensure that:

2-44 (1) a participating employer is reimbursed under the
2-45 program at the rate established by the coordinating board only for
2-46 fully paid eligible wages; and

2-47 (2) marketable skills to be strengthened or gained
2-48 through a student's internship position are identified.

2-49 (c) The coordinating board shall develop a standard
2-50 contract establishing the roles and responsibilities of eligible
2-51 employers, base wages and minimum work hours for students employed
2-52 through the program, and any other provisions identified by the
2-53 coordinating board as necessary to administer the program. The
2-54 coordinating board shall use the standard contract as a model for
2-55 the memorandum of understanding required to be entered into by
2-56 eligible employers.

2-57 (d) The coordinating board may use funds appropriated for
2-58 the Texas college work-study program and the Texas WORKS internship
2-59 program to establish and maintain an online portal for use by
2-60 students and participating entities in fulfilling their
2-61 responsibilities for participation in the Texas WORKS internship
2-62 program. The coordinating board may use funds appropriated for the
2-63 Texas college work-study program and the Texas WORKS internship
2-64 program to cover the expenses and personnel costs of administering
2-65 and assessing the Texas WORKS internship program.

2-66 (e) If funding for the program is insufficient to cover the
2-67 cost of all students eligible for the program, as provided by
2-68 coordinating board rule, priority for funding is based on
2-69 eligibility criteria established by coordinating board rule to

3-1 further the purposes of the program.
3-2 (f) Funds received by students employed through the program
3-3 as eligible wages are not considered as financial aid for the
3-4 academic year in which the funds are earned.

3-5 Sec. 56.0855. ELIGIBLE EMPLOYER. (a) The coordinating
3-6 board may enter into agreements with employers that participate in
3-7 the program.

3-8 (b) To be eligible to enter into an agreement with the
3-9 coordinating board to participate in the program, an employer must:

3-10 (1) except as provided by Subsection (c), be a private
3-11 nonprofit or for-profit entity or a governmental entity;

3-12 (2) demonstrate the administrative and financial
3-13 capacity to carry out the employer's responsibilities under the
3-14 program, including the ability to pay full wages and benefits to a
3-15 student employed through the program;

3-16 (3) enter into a memorandum of understanding with the
3-17 coordinating board;

3-18 (4) provide employment to a student employed through
3-19 the program in nonpartisan and nonsectarian activities that relate
3-20 to the student's long-term career interests;

3-21 (5) use program positions only to supplement and not
3-22 supplant positions normally filled by persons who are not eligible
3-23 to participate in the program, as provided by coordinating board
3-24 rule;

3-25 (6) provide the entirety of an employed student's
3-26 wages and employee benefits;

3-27 (7) submit eligible wages to the coordinating board
3-28 for reimbursement; and

3-29 (8) comply with other requirements adopted by the
3-30 coordinating board under this subchapter.

3-31 (c) An employer is not eligible to participate in the
3-32 program if the employer is:

3-33 (1) a public or private institution of higher
3-34 education in Texas; or

3-35 (2) a career school or college, as defined by Section
3-36 [132.001](#).

3-37 Sec. 56.0856. ADOPTION OF RULES. (a) The coordinating
3-38 board shall adopt reasonable rules, consistent with the purpose of
3-39 the program, to enforce the requirements, conditions, and
3-40 limitations provided by this subchapter.

3-41 (b) The coordinating board shall adopt rules necessary to
3-42 ensure compliance with the Civil Rights Act of 1964, Title VI (Pub.
3-43 L. No. 88-352), concerning nondiscrimination in admissions or
3-44 employment.

3-45 Sec. 56.0857. ONLINE LIST OF TEXAS WORKS EMPLOYMENT
3-46 OPPORTUNITIES. The coordinating board shall:

3-47 (1) establish and maintain an online listing of Texas
3-48 WORKS internship program employment opportunities available to
3-49 students, sortable by employer, and include other relevant features
3-50 such as job description, job field, or skills required, as
3-51 appropriate; and

3-52 (2) ensure that the list is easily accessible to the
3-53 public through a clearly identifiable link that appears in a
3-54 prominent place on the coordinating board's Internet website.

3-55 SECTION 5. Section [56.076\(b\)](#), Education Code, is repealed.

3-56 SECTION 6. (a) As soon as practicable after the effective
3-57 date of this Act, the commissioner of the Texas Higher Education
3-58 Coordinating Board shall develop the rules and procedures necessary
3-59 for the implementation of Subchapter E-1, Chapter [56](#), Education
3-60 Code, as added by this Act.

3-61 (b) The changes in law made by this Act apply beginning with
3-62 the 2020 summer term.

3-63 SECTION 7. This Act takes effect immediately if it receives
3-64 a vote of two-thirds of all the members elected to each house, as
3-65 provided by Section [39](#), Article III, Texas Constitution. If this
3-66 Act does not receive the vote necessary for immediate effect, this
3-67 Act takes effect September 1, 2019.

3-68 * * * * *