

SUBJECT: Establishing the Texas WORKS internship program

COMMITTEE: Higher Education — favorable, without amendment

VOTE: 6 ayes — C. Turner, Stucky, Button, Frullo, Pacheco, Smithee
2 nays — Schaefer, Wilson
3 absent — Howard, E. Johnson, Walle

SENATE VOTE: On final passage, May 2 — 29-2 (Creighton, Schwertner)

WITNESSES: No public hearing.

BACKGROUND: Education Code ch. 56, subch. E governs the Texas college work-study program, which provides eligible students with jobs, funded in part by the state, to enable them to attend eligible institutions of higher education in the state.

DIGEST: SB 1192 would require the Texas Higher Education Coordinating Board (THECB) to create the Texas Working Off-Campus: Reinforcing Knowledge and Skills (WORKS) internship program, which would 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 their marketable skills.

WORKS program eligibility. THECB would administer the program and collaborate with participating employers to provide students with employment funded in part through the state. The coordinating board could enter into agreements with employers that participated in the program in order to provide this employment.

In order to be eligible to participate in the program, an employer would have to:

- be a private nonprofit or for-profit entity or a governmental entity, other than an eligible institution or a career school or college as defined in statute;
- 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;
- enter into a memorandum of understanding with THECB;
- provide employment to a student in nonpartisan and nonsectarian activities that were related to the student's long-term career interests;
- use program positions only to supplement and not supplant positions normally filled by persons not eligible to participate in the program;
- provide the entirety of an employed student's wages and employee benefits;
- submit eligible wages to THECB for reimbursement; and
- comply with any other requirements adopted by the board.

An employer would not be eligible for the program if the employer was a public or private institution of higher education in Texas or if the employer was a career school or college.

Standards. THECB would have to establish criteria to ensure that:

- each participating employer was reimbursed under the program at the contracted rate only for eligible wages paid in full to a participating student; and
- the marketable skills to be strengthened or gained through the internships under the program were identified.

The board would be required to 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 necessary to administer the program. THECB would

have to use the standard contract as a model for the memorandum of understanding that eligible employers would be required to enter into.

Funding. Funding for the WORKS program would be limited to the amount specified by appropriation.

THECB could 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 program. The funds also could be used to cover the costs of administering and assessing the program.

If funding for the program was insufficient to cover the costs of all students seeking to participate in the program, priority for funding would be based on criteria established by THECB rules.

Funds that students received as eligible wages would not be considered as financial aid for the academic year in which they were earned.

Online listings. THECB would be required to establish and maintain an online listing of Texas WORKS program employment opportunities that were available to students. The opportunities would have to be sortable by employer and include other relevant features such as a job description, job field, or skills required, as appropriate. The list would have to be easily accessible through a clearly identifiable link that appeared in a prominent place on THECB's website.

Work-study program. SB 1192 also would amend requirements for eligible institutions to participate in the Texas college work-study program. Such institutions would have to:

- provide employment to an eligible student in nonpartisan and nonsectarian activities;
- provide employment to an eligible student that was related to the student's academic interests, to the extent practicable;

- 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;
- provide from sources other than federal college work-study program funds a percentage of an employed student's wages that was equal to the percentage of a student's wages that the eligible institution would be required to provide to the student under the federal college work-study program; and
- provide from sources other than federal college work-study funds 100 percent of other employee benefits for the employed student.

Other provisions. SB 1192 would add the Texas WORKS internship program to THECB's current reporting requirements for the Texas college work-study program.

The bill would repeal a provision that required each eligible institution participating in the work-study program to ensure that between 20 and 50 percent of the employment positions provided through the program in an academic year were provided by employers who were providing off-campus employment.

The bill would apply beginning with the 2020 summer session. THECB would be required to adopt rules to enforce the bill and to ensure compliance with the federal Civil Rights Act of 1964 as soon as practicable after the effective date of the bill.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.