

**Federal Work-Study
Program**

The purpose of the federal work-study program (FWS) is to stimulate and promote the part-time employment of students who are enrolled as undergraduate, graduate, or professional students and who are in need of earnings from employment to pursue courses of study at eligible institutions, and to encourage students receiving federal student financial assistance to participate in community service activities that will benefit the nation and engender in the students a sense of social responsibility and commitment to the community. The program shall be administered by the U.S. Department of Education and participating institutions of higher education in accordance with 20 U.S.C. Chapter 28, Subchapter IV, Part C and 34 C.F.R. 675.1-.28. *20 U.S.C. 1087-51, -53(a); 34 C.F.R. 675.1-.28*

Eligible Student

A student at an institution of higher education is eligible to receive part-time employment under the FWS program for an award year if the student:

1. Meets the relevant eligibility requirements contained in 34 C.F.R. 668.32;
2. Is enrolled or accepted for enrollment as an undergraduate, graduate, or professional student at the institution; and
3. Has financial need as determined in accordance with Part F of Title IV of the Higher Education Act (HEA).

34 C.F.R. 675.9

Eligible Employer

A student may be employed under the FWS program by the institution in which the student is enrolled; a federal, state, or local public agency; a private nonprofit organization; or a private for-profit organization.

Regardless of the student's employer, the student's work must be governed by employment conditions, including pay, that are appropriate and reasonable in terms of type of work; geographical region; employee proficiency; and any applicable federal, state, or local law.

FWS employment may not:

1. Impair existing service contracts;
2. Displace employees;
3. Fill jobs that are vacant because the employer's regular employees are on strike;
4. Involve the construction, operation, or maintenance of so much of any facility as is used or is to be used for instruction that is predominantly devotional and religious or as a place for

religious worship, except to the extent that excluding such work would impose a substantial burden on a person's exercise of religion; or

5. Include employment for the U.S. Department of Education.

34 C.F.R. 675.20(a)–(c)

Academic Credit

A student may be employed under the FWS program and also receive academic credit for the work performed. Those jobs include, but are not limited to, work performed when the student is enrolled in an internship; enrolled in a practicum; or employed in a research, teaching, or other assistantship.

A student employed in an FWS job and receiving academic credit for that job may not be:

1. Paid less than the student would be if no academic credit were received;
2. Paid for receiving instruction in a classroom, laboratory, or other academic setting; and
3. Paid unless the employer would normally pay the person for the same position.

34 C.F.R. 675.20(d)

Notice of
Employment
Opportunities

To participate in the FWS program, an institution of higher education shall enter into a participation agreement with the U.S. Secretary of Education. The agreement provides that, among other things, the institution shall inform all eligible students of the opportunity to perform community services and consult with local non-profit, governmental, and community-based organizations to identify those opportunities. *34 C.F.R. 675.8*

**Texas College Work-
Study Program**

Any public, private, or independent institution of higher education, including a college district, is eligible to participate in the Texas College Work-Study Program in accordance with Education Code Chapter 36, Subchapter E and 19 Administrative Code Chapter 22, Subchapter G. *19 TAC 22.128(3), .129(a)(1)*

Mentorship
Program

In accordance with Education Code 56.079 and 19 Administrative Code Chapter 22, Subchapter G, the Coordinating Board shall administer a work-study student mentorship program under which students who are enrolled at participating eligible institutions and who meet the eligibility requirements for employment in the Texas College Work-Study Program may be employed by participating entities under the Texas College Work-Study Program to:

1. Mentor students at participating eligible institutions or high school students in participating school districts;
2. Counsel high school students at GO Centers or similar high school-based recruiting centers designed to improve student access to higher education; or
3. Support student interventions at participating eligible institutions that are focused on increasing completion of degrees or certificates, such as interventions occurring through advising or supplemental instruction.

A "participating entity" is an eligible institution, a school district, or a nonprofit organization that has filed a memorandum of understanding with the Coordinating Board under 19 Administrative Code Chapter 22, Subchapter G to participate in the mentorship program.

Education Code 56.079; 19 TAC 22.128(6)

Institution
Requirements
Generally

To participate in the program, an institution must:

1. Provide part-time employment to an eligible student in non-partisan 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 program positions only to supplement and not supplant positions normally filled by persons not eligible to participate in the work-study program; and
4. Provide not less than 25 percent of an employed student's wages and 100 percent of other employee benefits for the employed student from sources other than federal college work-study program funds. Institutions eligible to receive Title III funds from the U.S. Department of Education are exempted from the program requirement to provide 25 percent of an employed student's wages, if they provide the Coordinating Board with a copy of a current Title III eligibility letter from the U.S. Department of Education.

Education Code 56.074(b); 19 TAC 22.129(c)

*Mentorship
Program*

To participate in the mentorship program:

1. An institution must file with the Coordinating Board a memorandum of understanding detailing the roles and responsibilities of each participating entity.
2. An institution must provide not less than ten percent of an employed mentor's wages and 100 percent of other employee

benefits for the employed student from sources other than federal college work-study program funds. Institutions eligible to receive Title III funds from the U.S. Department of Education are exempted from the mentorship program requirement to provide ten percent of an employed student's wages, if they provide the Coordinating Board with a copy of a current Title III eligibility letter from the U.S. Department of Education.

3. A participating entity, other than an institution of higher education, benefiting from the services of the mentor must provide funding in an amount at least equal to the amount of the institution's contribution. The participating entity's contribution may be satisfied through in-kind contributions, if acceptable by the institution. Participating entities benefiting from the service of mentors enrolled at institutions eligible to receive Title III funds from the U.S. Department of Education are exempted from the mentorship program requirement to provide matching funds, if the institution has provided the Coordinating Board with a copy of a current Title III eligibility letter from the U.S. Department of Education.

Additional criteria for participation and program requirements for the mentorship program shall be determined and set forth in commissioner's policies.

19 TAC 22.129(d)–(e)

Eligible Student

To be eligible for employment in the program, a person must:

1. Be a Texas resident as defined by Coordinating Board rules;
2. Be enrolled for at least the number of hours required of a half-time student, and be seeking a degree or certification in an eligible institution;
3. Establish financial need in accordance with Coordinating Board procedures;
4. Have a statement on file with the institution of higher education indicating the student is registered with the Selective Service System as required by federal law or is exempt from Selective Service registration under federal law; and
5. If participating in the Mentorship Program, receive appropriate training and supervision as determined by the commissioner or Coordinating Board staff.

A person is not eligible to participate in the program if the person concurrently receives an athletic scholarship.

Education Code 56.075; 19 TAC 22.130

Eligible Off-Campus Employer	<p>An eligible institution may enter into agreements with off-campus employers that participate in the program. To be eligible to participate, an off-campus employer must:</p> <ol style="list-style-type: none">1. Provide part-time employment to an eligible student in non-partisan 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 program positions only to supplement and not to supplant positions normally filled by persons not eligible to participate in the work-study program; and4. Unless eligible for a waiver of matching funds under 19 Administrative Code 22.131, provide not less than 25 percent of an employed student's wages and 100 percent of other employee benefits for the employed student from sources other than federal college work-study program funds, if the employer is a nonprofit entity; or5. Provide not less than 50 percent of an employed student's wages and 100 percent of other employee benefits for the employed student, if the employer is a profit-making entity. <p>Institutions eligible to receive Title III funds from the U.S. Department of Education are exempted from the program requirement to provide 25 percent of an employed student's wages, if they provide the Coordinating Board with a copy of a current Title III eligibility letter from the U.S. Department of Education.</p> <p>For the mentorship program, an eligible institution must file, in conjunction with the participating school district(s) or nonprofit organization(s), a memorandum of understanding with the Coordinating Board.</p>
Approval	<p><i>Education Code 56.076; 19 TAC 22.131</i></p> <p>Each approved institution must enter into an agreement with the Coordinating Board, the terms of which shall be prescribed by the commissioner. An institution must be approved by April 1 in order for qualified students enrolled in that institution to be eligible to receive grants in the following fiscal year. <i>19 TAC 22.129(b)</i></p>
List of Work-Study Employment Opportunities	<p>Institutions participating in the program must establish and maintain an online list of work-study employment opportunities available on campus, sorted by department as appropriate, and ensure that the list is easily accessible to the public and prominently displayed on the institution's website. <i>Education Code 56.080; 19 TAC 22.129(f)</i></p>

Funds

Distribution

Texas College
Work-Study
Program Funds

At the beginning of each year or upon request by the institution, the year's full allocation of funds needed for immediate disbursement to students will be provided to each participating institution for use in reimbursing students for their work. Institutions will have until February 20 or the first workday thereafter if it falls on a holiday or a weekend to encumber all funds allocated to them.

Unless given specific permission by the Coordinating Board to use funds for summer awards, schools will be required to utilize their original state work-study allocation of funds for employment during the nine-month academic year (fall and spring terms). However, institutions may use reallocated funds for summer awards, but the funds must be expended by August 31 of the fiscal year.

19 TAC 22.2, .133(c)–(e)

Mentorship
Program Funds

The Coordinating Board shall allocate program funds to participating institutions according to criteria established by the commissioner. At the beginning of each academic year, the year's full allocation will be provided to each participating institution. Institutions shall have until a date specified by the commissioner to encumber all funds allocated.

Program funds may be used during any academic period for which mentorship opportunities are needed by participating entities as long as student mentors meet eligibility requirements.

19 TAC 22.134

Transfer

Institutions participating in the Texas Educational Opportunity Grant and Texas College Work-Study Programs, in accordance with instructions from the Coordinating Board, may transfer current fiscal year funds up to the lesser of ten percent or \$20,000 between these programs. This threshold applies to the program from which the funds are transferred. Such transfers must occur by July 1 of the current fiscal year.

Institutions participating in both the Texas College Work-Study Program and the Work-Study Student Mentorship Program, in accordance with instructions from the Coordinating Board, may transfer current fiscal year funds up to 25 percent between the two programs. This threshold applies to the program from which the funds are transferred. Such transfers must occur by July 1 of the current fiscal year.

19 TAC 22.11(b)

**Discrimination on
the Basis of Sex**

A recipient of federal funding that assists any agency, organization, or person in making employment available to any of its students shall assure itself that such employment is made available without

discrimination on the basis of sex; and shall not render such services to any agency, organization, or person that discriminates on the basis of sex in its employment practices.

A recipient that employs any of its students shall not do so in a manner that violates 34 C.F.R. Part 106, Subpart E.

34 C.F.R. 106.38