

**Policy Concept**  
**Ch. 804, Jobs and Education for Texans (JET) Grant Program**  
**Rule Project #2021-05-804 – HB 2431 (85-R), SB 346, HB 4279 - JET Eligibility Updates**

**Introduction and Background**

Texas Workforce Commission (TWC) Chapter 804 Jobs and Education for Texans (JET) Grant Program rules provide the establishment and operational procedures of the JET Grant Program, administered by TWC. Formerly under the direction of the Texas Comptroller of Public Accounts, oversight of the JET program was transferred to TWC through House Bill (HB) 3062, passed by the 84th Texas Legislature, Regular Session (2015), and the Commission adopted program rules in 2016. The 85th Texas Legislature, Regular Session (2017) passed HB 2431, which amended Texas Education Code, §314.001 to include "public state colleges," as defined by Texas Education Code, §61.003, to the list of eligible entities to apply and receive JET grant funds.

The 87th Texas Legislature, Regular Session (2021) passed Senate Bill (SB) 346 and HB 4279, which both expand participant eligibility in the JET Grant Program. SB 346 includes the addition of "open-enrollment charter schools" to the list of eligible entities for JET grants under Texas Education Code, §134.004. HB 4279 strikes the term "independent" from "independent school districts" throughout Texas Education Code, §134.004, and expands the definition of eligible school districts to include "the Windham School District."

**Purpose for the Proposed Rule**

The purpose for the proposed rule is to implement the recently passed legislation, broadening the list of entities eligible to apply and receive JET grant funds. The proposed rule will amend sections in Chapter 804 relating to definitions, general advisory board responsibilities, general statement of purpose, reporting requirements, and grants for career and technical education programs.

**Rule Revisions Required by Federal Regulation or State Statute**

**Issue # 1: Alignment with Recent Legislation**

Chapter 804 includes multiple references to eligible entities as "public junior colleges, public technical institutions, and ISDs." Staff recommends amending the references to add "public state colleges, school districts, and charter schools" and remove "ISDs" to align rule with recent legislation. Section 804.41(a) includes a reference to Texas Government Code, §403.356, which was repealed in 2013 by HB 437 (83rd Texas Legislature, Regular Session). Staff recommends removing that reference. Repealed Texas Government Code, §403.356, contained provisions relating to the operation of JET within the Texas Comptroller of Public Accounts.

**Other Rule Revisions**

**Issue # 2: Definitions to Clarify Eligible Entities**

Texas Education Agency administrative rule 19 TAC §100.1001, defines a "Charter School" as "A Texas public school operated by a charter holder under an open-enrollment charter granted either by the State Board of Education (SBOE) or commissioner of education, whichever is applicable, pursuant to TEC [Texas Education Code], §12.101, identified with its own county district number." Texas Education Code, §61.003 defines "public state colleges" as "Lamar State College – Orange, Lamar State College – Port Arthur, and Lamar Institute of Technology." Staff recommends amending §804.1, to

1 include those definitions. Staff also recommends removing the definition of "ISD" and replacing it with  
2 "School Districts," to be defined as "Independent school districts or the Windham School District."  
3

4 **PC Decision Point**

5 Staff seeks direction on amending Chapter 804 to:

- 6 • update eligible entities to be in alignment with legislative changes; and  
7 • define the newly eligible entities.