CHAPTER 804. JOBS AND EDUCATION FOR TEXANS (JET) GRANT PROGRAM

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CHAPTER 804. JOBS AND EDUCATION FOR TEXANS (JET) GRANT PROGRAM

SUBCHAPTER A. DEFINITIONS

§804.1. Definitions.

The following words and terms, when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise.

(1) Act--relating to the Jobs and Education for Texans Grant Program in Texas Education Code, Chapter 134.

(2) Advisory board--The advisory board of education and workforce stakeholders created pursuant to the Act.

(3) Career and technical education--Organized educational activities that offer a sequence of courses that:

(A) provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in high-demand occupations or emerging industries;

(B) includes competency-based applied learning that contributes to the academic knowledge, problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual; or

(C) provides a license, a certificate, or a postsecondary degree.

(4) Certificate or degree completion--Any grouping of workforce or technical courses in sequential order that, when satisfactorily completed by a student, will entitle the student to a Texas Higher Education Coordinating Board (Coordinating Board)--approved certificate or associate degree from a public technical institute or public junior college.

(5) Developmental education--Structured courses, tutorials, laboratories, or other proven instructional efforts that successfully prepare students for college level (and therefore work-ready) courses as measured by passing the state-required college entrance exam (or meeting the Texas Success Initiative requirements).

(6) Emerging industry--A growing, evolving or developing industry based on new technological products or concepts.

(7) High-demand occupation--A job, profession, skill, or trade for which employers within the State of Texas generally, or within particular regions or cities of the state, have or will have a substantial need. In determining whether there is or will be a substantial need for a particular job, profession, trade, or skill, the Agency may consider occupations identified by the 28 Local Workforce Development Boards (Board-Area Target Occupations Lists) and/or the Agency's labor market projections.

(8) ISD--Independent school district.

(9) JET--The Jobs and Education for Texans Grant Program.

(10) Notice of Availability or NOA--The notice of availability that is published by the Agency pursuant to §804.22 of this title (relating to Notice of Grant Availability and Application).

(11) Public junior college--Any junior college certified by the Texas Higher Education Coordinating Board (Coordinating Board) in accordance with Texas Education Code §61.003.

(12) Public technical institute--The Lamar Institute of Technology or the Texas State Technical College System, as in accordance with Texas Education Code §61.003.

The provisions of this §804.1 adopted to be effective September 1, 2009, 34 TexReg 5959; amended to be effective July 1, 2014, 39 TexReg 4964; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.

SUBCHAPTER B. ADVISORY BOARD COMPOSITION, MEETING GUIDELINES

§804.11. Advisory Board Purpose and Composition.

(a) The advisory board shall assist the Agency in administering JET.

(b) The advisory board is composed of six members who serve two-year terms, and are appointed as follows:

(1) one member appointed by the governor;

(2) one member appointed by the lieutenant governor;

(3) one member appointed by the speaker of the house of representatives;

(4) one member appointed by the Coordinating Board;

(5) one member appointed by the Commission; and

(6) the Commission chair, who serves as the presiding officer.

The provisions of this §804.11 adopted to be effective September 1, 2009, 34 TexReg 5959; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.

§804.12. Meetings Required.

(a) The advisory board is required to meet at least once each quarter, or as needed, to review received applications and recommend awarding grants under this chapter to public junior colleges, public technical institutes, and ISDs.

(b) Meetings shall be subject to the requirements of the Open Meetings Act.

The provisions of this §804.12 adopted to be effective September 1, 2009, 34 TexReg 5959; amended to be effective July 1, 2014, 39 TexReg 4964; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.

§804.13. General Advisory Board Responsibilities.

The advisory board shall provide advice and recommendations to the Agency on:

(1) the manner in which public junior colleges, public technical institutes, and ISDs apply for JET grants; and

(2) the JET grants to be awarded by the Agency.

The provisions of this §804.13 adopted to be effective September 1, 2009, 34 TexReg 5959; amended to be effective July 1, 2014, 39 TexReg 4964; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.

SUBCHAPTER C. GRANT PROGRAM

§804.21. General Statement of Purpose.

In accordance with the Act, the Agency establishes JET, which shall be administered pursuant to the Act and the rules in this chapter to award grants from

the JET fund for the development of career and technical education programs at public junior colleges, public technical institutes, and ISDs that meet the requirements of Texas Education Code §134.006 and §134.007.

The provisions of this §804.21 adopted to be effective September 1, 2009, 34 TexReg 5959; amended to be effective July 1, 2014, 39 TexReg 4964; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.

§804.22. Notice of Grant Availability and Application.

(a) From time to time, the Agency may publish a Notice of Availability (NOA) of grant funds under this chapter. The notice shall be published in the *Texas Register* and on the Agency's website. In addition to the respective purpose for each grant program under this chapter, the notice may include:

(1) the total grant funds available for award;

(2) the minimum and maximum amount of grant funds available for each grant recipient;

(3) eligibility criteria;

(4) application requirements;

(5) grant award and evaluation criteria;

(6) any grant requirements in addition to those set forth in this chapter;

(7) the date by which the application must be submitted to the Agency ;

(8) the anticipated date of grant awards; and

(9) any other information or instructions necessary and appropriate for awarding the grant as determined by the Agency.

(b) To be eligible for a grant award, an applicant meeting the eligibility criteria identified in the NOA shall submit an application in the form and manner as prescribed by the Agency in NOA.

(c) The Agency may request additional information at any time prior to grant award in order to effectively evaluate any application.

The provisions of this §804.22 adopted to be effective September 1, 2009, 34 TexReg 5959; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.

§804.23. Grant Award and Acceptance.

(a) To award a grant, the Agency shall provide a grant contract to the grant recipient that shall contain all the terms and conditions for the use of the grant funds.

(b) To receive grant funds, an applicant must execute and return the contract to the Agency.

The provisions of this §804.23 adopted to be effective September 1, 2009, 34 TexReg 5959; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.

§804.24. Reporting Requirements.

A public junior college, public technical institute, or ISD receiving a grant under this chapter must comply with all reporting requirements of the contract in a frequency and format determined by the Agency in order to maintain eligibility for grant payments. Failure to comply with the reporting requirements may result in termination of the grant award and the entity being ineligible for future grants under this chapter.

The provisions of this §804.24 adopted to be effective September 1, 2009, 34 TexReg 5959; amended to be effective July 1, 2014, 39 TexReg 4964; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.

§804.25. Enforcement.

(a) Grant funds must be used in compliance with the terms of the contract for the purposes designated in the contract or will be subject to refund by the grantee, disqualification from receiving further funds under this chapter, or any other available legal remedies. If deemed appropriate, the grantee may also be referred to another department or agency including, but not limited to, the State Auditor's Office and the Agency's Office of Investigations.

(b) The Agency may audit the use of funds.

The provisions of this §804.25 adopted to be effective September 1, 2009, 34 TexReg 5959; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.

SUBCHAPTER D. GRANTS TO EDUCATIONAL INSTITUTIONS FOR CAREER AND TECHNICAL EDUCATION PROGRAMS

§804.41. Grants for Career and Technical Education Programs.

(a) This subchapter is applicable to JET awards to public junior colleges, public technical institutes, and ISDs for the development of career and technical education programs that meet the requirements of Texas Education Code, §134.006 and §134.007 and Texas Government Code §403.356.

(b) A grant received under this subchapter may be used only:

(1) to support courses or programs that prepare students for career employment in occupations that are identified by local businesses as being in high demand;

(2) to finance the initial costs of career and technical education courses or program development, including the costs of purchasing equipment, and other expenses associated with the development of an appropriate course; and

(3) to finance a career and technical education course or program that leads to a license, certificate, or postsecondary degree.

(c) In awarding a grant under this subchapter, the Agency shall primarily consider the potential economic returns to the state from the development of the career and technical education course or program. The Agency may also consider whether the course or program:

(1) is part of a new, emerging industry or high-demand occupation;

(2) offers new or expanded dual-credit career and technical educational opportunities in public high schools; or

(3) is provided in cooperation with other public junior colleges or public technical institutes across existing service areas.

(d) A grant recipient shall provide the matching funds as identified in its application.

(1) Matching funds may be obtained from any source available to the college, including industry consortia, community or foundation grants, individual contributions, and local governmental agency operating funds.

(2) A grant recipient's matching share may consist of one or more of the following contributions:

(A) cash;

(B) equipment, equipment use, materials, or supplies;

(C) personnel or curriculum development cost; and/or

(D) administrative costs that are directly attributable to the project.

(3) The matching funds must be expended on the same project for which the grant funds are provided and valued in a manner acceptable or as determined by the Agency.

The provisions of this §804.41 adopted to be effective September 1, 2009, 34 TexReg 5959; transferred effective June 16, 2015, as published in the Texas Register August 7, 2015, 40 TexReg 5066; amended to be effective December 12, 2016, 41 TexReg 9741.