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1 P R O C E E D I N G S

2 TUESDAY, MARCH 17, 2015

3 (9:00 a.m.)

4 AGENDA ITEM NO. 1

5 CHAIRMAN ALCANTAR: Good morning,  
6 everyone. This meeting will now be called to order.

7 AGENDA ITEM NO. 2

8 Discussion, consideration and possible  
9 action regarding whether to assume continuing  
10 jurisdiction on unemployment compensation cases, wage  
11 claim cases, and/or tax liability cases and  
12 reconsideration of unemployment compensation cases, wage  
13 claim cases, and/or tax liability cases, if any.

14 No discussion.

15 AGENDA ITEM NO. 3

16 Discussion, consideration and possible  
17 action regarding tax liability cases listed on the Texas  
18 Workforce Commission Docket 13.

19 The Commission considered and took action  
20 on all tax liability cases listed on Docket 13.

21 AGENDA ITEM NO. 4

22 Discussion, consideration and possible  
23 action regarding higher level appeals in wage claim  
24 cases listed on the Texas Workforce Commission Docket  
25 13.

1                   The Commission considered and took action  
2 on all wage claim cases listed on Docket 13.

3                   AGENDA ITEM NO. 5

4                   Discussion, consideration and possible  
5 action regarding higher level appeals in unemployment  
6 compensation cases listed on the Texas Workforce  
7 Commission Docket 13.

8                   The Commission considered and took action  
9 on all unemployment compensation cases listed on Docket  
10 13.

11                   (The Commission paused, then continued  
12 with the remainder of the agenda)

13                   (Off the record: 9:00 a.m. to 9:27 a.m.)

14                   CHAIRMAN ALCANTAR: Good morning,  
15 everyone. We're back in session.

16                   AGENDA ITEM NO. 6

17                   CHAIRMAN ALCANTAR: Jewell, has anyone  
18 signed up for public comment?

19                   MS. PATRICIO: No public comment,  
20 Mr. Chairman.

21                   CHAIRMAN ALCANTAR: Thank you.

22                   AGENDA ITEM NO. 7

23                   CHAIRMAN ALCANTAR: Item 7, discussion,  
24 consideration and possible action regarding TWC's  
25 legislative request. We have no update.

1 AGENDA ITEM NO. 8

2 CHAIRMAN ALCANTAR: Item 8. Discussion,  
3 consideration and possible action regarding the use of  
4 skills development funds for dual credit initiative,  
5 Cristina Ramos.

6 Good morning.

7 MS. RAMOS: Good morning, Mr. Chairman,  
8 Commissioners. Cristina Ramos, Workforce Business  
9 Services, Workforce Division.

10 I'm here this morning to present for your  
11 consideration a recommendation for the support, the  
12 creation and expansion of dual credit career and  
13 technical education programs in Texas schools that are  
14 highly technical in nature and address local area  
15 demands for high-skill, high-demand occupations and  
16 high-wage industries.

17 In 2014, Texas Workforce Commission  
18 successfully participated in two dual credit initiatives  
19 after the skills legislation was amended to allow the  
20 use of skills funds to support certain joint credit  
21 courses offered by school districts under agreements  
22 with public junior colleges, public state colleges and  
23 public technical institutes.

24 Staff is recommending the use of  
25 \$1 million from the skills development fund to further

1 support dual credit career and technical education  
2 programs through the receipt and evaluation of  
3 applications from eligible entities.

4 Projects recommended for funding will  
5 support programs that model effective education and  
6 training opportunities for high school students in  
7 high-demand occupations.

8 Funds will be used to develop dual credit  
9 and certificate attainment in high-demand occupations or  
10 to further expand these programs through additional  
11 curriculum development and enhancement or equipment  
12 purchases or repair.

13 CHAIRMAN ALCANTAR: Commissioner  
14 Congleton.

15 COMM. CONGLETON: I move that we dedicate  
16 \$1 million to skill development funds to fund dual  
17 credit and technical education programs in order to  
18 support and expand the program in 2015.

19 COMM. ANDRADE: (Mic off) And I  
20 absolutely second.

21 CHAIRMAN ALCANTAR: We are unanimous.  
22 Thank you.

23 MS. RAMOS: Thank you.

24 AGENDA ITEM NO. 9

25 CHAIRMAN ALCANTAR: Item 9, discussion,

1 consideration and possible action regarding the Adult  
2 Education and Literacy final state plan for submission  
3 to the U.S. Department of Education.

4 Carrie, good morning.

5 MS. TUPA: Good morning, Mr. Chairman,  
6 Commissioners. For the record, Carrie Tupa, Adult  
7 Education and Literacy.

8 Before you today is the Adult Education  
9 and Literacy final state plan for Performance Year 2015.

10 The state plan is required under WIA Title  
11 II Adult Education and Family Literacy Act and is due to  
12 the Department of Education on April 1, 2015.

13 Guidelines for the 2015 plan specified unique elements,  
14 including transitions planning for the integrated Adult  
15 Education and Literacy and Workforce System envisioned  
16 under the Workforce Innovation and Opportunity Act.

17 A draft plan was -- this -- a draft plan  
18 of this was approved by you on March 3rd and was then  
19 released for public comment. We received several  
20 comments that warranted slight modifications to the plan  
21 and present the final plan to you today for approval.

22 Also included in the plan are proposed  
23 targets to the Department of Education Performance  
24 Measures as required by the Department of Education.

25 We ask for your approval of this item, and

1 I'll be happy to answer any questions.

2 CHAIRMAN ALCANTAR: Commissioner  
3 Congleton.

4 COMM. CONGLETON: I move that we approve  
5 the Program Year 2015-2016 Adult Education and Literacy  
6 state plan for submission to the Department of  
7 Education.

8 COMM. ANDRADE: (Mic off) I'll second.

9 CHAIRMAN ALCANTAR: It's unanimous.  
10 Carrie, as we look at the performance indicators there,  
11 one of the things that does stand out is the impact of  
12 the new GED test, and really want to urge you, Anson and  
13 the rest of the team to keep bringing forward to us  
14 ideas on how to pursue different alternative --  
15 different strategies to address that issue.

16 MS. TUPA: Yes, sir.

17 CHAIRMAN ALCANTAR: Thank you.

18 MS. TUPA: Thank you.

19 AGENDA ITEM NOS. 10 AND 11

20 CHAIRMAN ALCANTAR: Item 10. Discussion,  
21 consideration and possible action regarding the revision  
22 of Adult Education and Literacy performance-based  
23 funding measures, and we're also going to take up Item  
24 11 at the same time, I believe --

25 MS. TUPA: Yes.

1                   CHAIRMAN ALCANTAR: -- which is a  
2 discussion, consideration and possible action regarding  
3 the approval of state leadership fund activities, Carrie  
4 Tupa.

5                   MS. TUPA: Thank you Chairman,  
6 Commissioners. Again, for the record, Carrie Tupa,  
7 Adult Education and Literacy.

8                   Today we have for discussion,  
9 consideration and possible action the modification of  
10 Adult Education and Literacy performance-based funding  
11 measures.

12                   The Commission originally adopted these  
13 measures on May 13, 2014. After implementing the  
14 program at TWC Managing Program Ramp Up and reviewing  
15 performance under new contracts we present enhancements  
16 to these measures for your consideration and approval.

17                   Over the course of the year we have  
18 actively engaged with our providers and our advisory  
19 committee on issues of supporting increased performance  
20 and are listening well to implementation needs as we  
21 guide and encourage the system towards increased  
22 innovation and accountability.

23                   The first measure for consideration,  
24 Measure A, is an enrollment measure based on first two  
25 quarters of performance. That startup of new projects

1 under the RFP for new Adult Education and Literacy  
2 providers created ramp-up needs related to new contracts  
3 and local subcontracts.

4                   Seven grant recipients met this measure  
5 and we want to reward their efforts while still  
6 acknowledging statewide ramp-up efforts for the  
7 remaining 28 grantees.

8                   Therefore, we are requesting a one-time  
9 waiver of performance-based funding Measure A to release  
10 funding to all grantees and are proposing that the seven  
11 grant recipients who met this measure receive additional  
12 incentive funding to reward their efforts and meeting  
13 the Commission's expectations for enrollment  
14 performance.

15                   In showing our consideration for current  
16 trends, we're proposing a modification of the second  
17 performance-based funding measure such that grant  
18 recipients who earn an average of 95 percent across all  
19 11 educational functioning level measure gains will  
20 receive performance funding.

21                   We would like to illustrate our  
22 consideration for the realities of implementing Adult  
23 Education and Literacy services. With the way the  
24 Department of Education currently describes and  
25 calculates these measures, smaller programs may not be

1 able to make this measure simply because they have low  
2 enrollment in one functioning level.

3                   This modification places the measurement  
4 in line with how we are measured by the Legislature.  
5 Finally, we are proposing a slight technical  
6 modification to the language for Performance-based  
7 Funding Measure C to clarify some ambiguity in the  
8 wording of the measure.

9                   Grant recipients are expected to meet  
10 95 percent of their enrollment target for career  
11 pathways programs and 95 percent of their enrollment  
12 target for transitions programs.

13                   We bring this item for your approval, and  
14 I'm happy to answer any questions.

15                   CHAIRMAN ALCANTAR: Well, certainly I --  
16 you know, we acknowledge the challenge for our new  
17 grantees, new contracts, new expectations. And as we  
18 ramp up we do not need to put a yield sign on that, and  
19 I think the recommendation you bring forward regarding  
20 the waiver, I certainly want to recognize those grantees  
21 that are meeting and exceeding performance.

22                   So I'm very supportive of that. But in  
23 terms of the waiver, it is a one-time waiver given the  
24 fact that we are very much aligned and consistent in  
25 terms of accountability at this agency, but I do think

1 that given all the different considerations that a  
2 waiver -- that a one-time waiver is something that I can  
3 support.

4 Commissioner Congleton, do you have a  
5 motion for us?

6 COMM. CONGLETON: I move that we approve  
7 the discussed modifications to the Program Year 2014  
8 performance measures for Adult Education and Literacy,  
9 and I move that we approve the use --

10 CHAIRMAN ALCANTAR: Let's let them lay out  
11 the second one.

12 COMM. CONGLETON: I thought you were doing  
13 them together.

14 CHAIRMAN ALCANTAR: I think Anson is going  
15 to lay out the state leadership ones.

16 COMM. CONGLETON: That's fine. You have  
17 the first one.

18 COMM. ANDRADE: I second.

19 CHAIRMAN ALCANTAR: It's unanimous.  
20 Anson, do you want to lay out the leadership activities?

21 MR. GREEN: Sure. Good morning, Chairman,  
22 Commissioners. For the record, Anson Green, Adult  
23 Education and Literacy.

24 Today we have for discussion,  
25 consideration and possible action projects for the

1 balance of Adult Education and Literacy state leadership  
2 funding.

3                   We currently have approximately  
4 \$1.8 million in the balance of state leadership funds  
5 for which we will propose the following three projects.  
6 For Project 1, we propose \$500,000 for professional  
7 development and assistance initiative to support  
8 expansion of career pathway models through a mentoring  
9 model that builds on the expertise of past and current  
10 high-performing Accelerate Texas Grantees funded by the  
11 Texas Higher Education Coordinating Board.

12                   These programs will support and provide  
13 guidance to TWC Adult Education and Literacy providers  
14 who are implementing career pathway models. The goal is  
15 to build on a lessons learned and promising practices  
16 through Accelerate Texas and increase our providers'  
17 deployment of career pathways towards success.

18                   For Project 2 we'd like to devote an  
19 approximate \$1.1 million of reserve and realign \$300,000  
20 already approved by the Commission on July 8, 2014 for  
21 distance learning expansion for a total project effort  
22 of approximately \$1.4 million to support a more robust  
23 expansion of distance learning efforts across the state.

24                   This project will include a special  
25 emphasis on courseware and related costs to address the

1 increased rigor of the GED 2014 test, Texas Certificate  
2 of High School Equivalency.

3 We anticipate related costs to include  
4 options such as student support models and mentoring  
5 that some providers are implementing at a small scale to  
6 increase deployment in academic areas of high need such  
7 as math in the 2014 GED.

8 For Project 3 we propose the use of  
9 \$200,000 to fund grant recipients who met  
10 Performance-based Funding Measure A as discussed  
11 previously in Item 10.

12 These funds will underscore the efforts of  
13 the providers who work diligently to meet our enrollment  
14 measure for Quarter 2. We bring this item for your  
15 approval, and I'll be happy to answer any questions.

16 CHAIRMAN ALCANTAR: Anson, on the -- I  
17 guess we've addressed Project 3 by default already, but  
18 on Project 2 --

19 MR. GREEN: Uh-huh.

20 CHAIRMAN ALCANTAR: -- talk a little bit  
21 about -- a little bit more about the GED aspect to this.

22 What do we -- so there are a number of  
23 different approaches in terms of what our grantees will  
24 do relative to this investment, but is an idea to focus  
25 some of this on GED support?

1                   MR. GREEN: Yeah. We see a gap out there  
2 in the field in terms of being able to provide really  
3 the time on task and also the rigor for some of the  
4 areas of the GED, particularly math, but some of the  
5 areas also.

6                   There are software online distance  
7 learning options that are out there that aligned  
8 perfectly to the GED. And so by doing that we can  
9 augment classroom time that students have with allowing  
10 time at home and time when they can dedicate to learning  
11 through distance options.

12                   So we will work to make sure that  
13 providers -- and they will probably do this naturally,  
14 but really ensure that that gap that we're seeing in GED  
15 performance and the needs that our instructional  
16 workforce have in terms of providing some of that  
17 content are met through distance learning.

18                   CHAIRMAN ALCANTAR: When we met with the  
19 Advisory Committee -- is it last week?

20                   MR. GREEN: Yes.

21                   CHAIRMAN ALCANTAR: One of the things that  
22 we discussed was examining ways to support this type of  
23 work, and there were a number of recommendations, and we  
24 heard about some good models out there that involved  
25 24/7 support; some examples in Midland and some of the

1 other areas. Do you want to touch on some of that?

2 MR. GREEN: Yeah. I think, you know, any  
3 time you're deploying distance learning for any  
4 population but definitely an underskilled population,  
5 any type of real life support, the classroom support or  
6 distance support via phone or a chat or anything is a  
7 good model.

8 We saw -- in our Advisory Committee we  
9 heard and we've seen other examples of programs that are  
10 using peer mentoring and other mentoring models offered  
11 sometimes 24/7 so that an individual that's working at  
12 home on a math problem on their online program can also  
13 be a chat or via a phone call or an email and get some  
14 additional instructional support.

15 So I think that's a growth area, you know,  
16 for the field in general and in distance learning. We  
17 see it happening a lot in community colleges. I think  
18 for adult education it's definitely a value add. So  
19 it's something that we're going to get an emphasis on  
20 with these funds and then look to the future for  
21 expansion.

22 CHAIRMAN ALCANTAR: And as an aside, one  
23 of the -- in terms of -- what we're seeing in terms of  
24 GED is something that's being seen nationwide, and there  
25 has been, if I understand correctly, some increased

1 expectations, including in math, that are presenting  
2 some of these challenges to our students and in terms of  
3 the way that instruction is delivered.

4 Is that correct?

5 MR. GREEN: Yes. I think, you know, we're  
6 seeing somewhat of a gap in our instructional workforce  
7 in some of the skill areas. And then, of course, it  
8 presents itself as challenges on the college side. When  
9 entering college folks are having to take, you know,  
10 undue amounts of remedial classes.

11 So I think finding ways to both boost the  
12 quality and the knowledge base of our incumbent  
13 workforce of teachers but augmenting also through online  
14 support is a very good method for us to kind of help  
15 bridge that gap and help students succeed and pass the  
16 GED.

17 CHAIRMAN ALCANTAR: I look forward to your  
18 ideas in terms of how we can move forward because this  
19 is very important.

20 Commissioner Congleton.

21 COMM. CONGLETON: I move that we approve  
22 the use of the remaining \$1.8 million 808,818 in Program  
23 Year 2014 state leadership funds as discussed.

24 COMM. ANDRADE: Second.

25 CHAIRMAN ALCANTAR: It's unanimous. Thank

1 you, Anson.

2 MR. GREEN: Thank you.

3 CHAIRMAN ALCANTAR: Thank you, Carrie.

4 AGENDA ITEM NO. 12

5 CHAIRMAN ALCANTAR: Item 12. Discussion,  
6 consideration and possible action regarding the approval  
7 of local Board nominees, John Fuller. No, it's Laurie  
8 Biscoe. I'm sorry.

9 Good morning, Laurie.

10 MS. BISCOE: Good morning, Mr. Chairman  
11 and Commissioners. And, again, Laurie Biscoe with the  
12 Workforce Division, standing in for Mr. Fuller this  
13 morning.

14 This morning you have before you  
15 nominations for consideration from Alamo, Central Texas,  
16 Concho Valley, Gulf Coast, Upper Rio Grande Workforce  
17 Development Boards. I'll be glad to answer any  
18 questions you have.

19 CHAIRMAN ALCANTAR: Commissioner  
20 Congleton.

21 COMM. CONGLETON: I move that we approve  
22 the Board nominees from Alamo, Central Texas, Concho  
23 Valley, Gulf Coast and Upper Rio Grande.

24 COMM. ANDRADE: Second.

25 CHAIRMAN ALCANTAR: It's unanimous. Thank

1 you, Laurie.

2 AGENDA ITEM NO. 13

3 CHAIRMAN ALCANTAR: Item 13. Discussion,  
4 consideration and possible action regarding legislative  
5 proposals, Tom McCarty.

6 Is there an update on this one?

7 MR. McCARTY: No update on this one.

8 AGENDA ITEM NO. 14

9 CHAIRMAN ALCANTAR: Item 14. Discussion,  
10 consideration and possible action regarding enacted,  
11 proposed or considered federal or state legislation, Tom  
12 McCarty.

13 Tom.

14 MR. McCARTY: Good morning, Chairman  
15 Alcantar, Commissioner Congleton, Commissioner Andrade.  
16 Tom McCarty, External Relations.

17 Today the House will consider HB 1, the  
18 Appropriations Bill, and then tomorrow HB 2, the  
19 Supplemental Appropriations Bill.

20 There's about 350 amendments that they  
21 will be working through today. We'll keep you-all  
22 updated on what's adopted relevant to TWC.

23 On Thursday Chairman Alcantar will be  
24 testifying at 8:00 a.m. before the House Higher  
25 Education Subcommittee on Post-Secondary and Workforce

1 Readiness.

2 That concludes my remarks for today, and  
3 if you have any questions I'm happy to answer them.

4 CHAIRMAN ALCANTAR: Commissioners, do we  
5 have any questions?

6 COMM. CONGLETON: No questions.

7 CHAIRMAN ALCANTAR: Thank you, Tom.

8 Appreciate all the hard work.

9 MR. McCARTY: Thank you.

10 AGENDA ITEM NO. 15

11 CHAIRMAN ALCANTAR: Item 15, report and  
12 update by the Executive Director. Larry, good morning.  
13 What do you have for us this morning?

14 MR. TEMPLE: Good morning, Mr. Chairman.  
15 Just an update. We have our transition teams working  
16 with DARS for the possible transfer of the rehab program  
17 to us.

18 We had our first phone call last Friday  
19 afternoon with the Department of Education, a very  
20 productive call -- a 2-hour long call. But the bottom  
21 line, it's doable.

22 They want us to work with them as we  
23 progress with the legislation, as we work on the plan to  
24 where they can pretty much approve it when we submit it  
25 immediately. So that's part of the process.

1                   Our transition teams, we have set up -- I  
2 don't know if it's 9 or 10. I can't remember how many,  
3 but they will be the point of contact for communications  
4 between the two agencies so we don't have everybody  
5 calling.

6                   The first interagency meeting will be in  
7 our building down on the first floor in the conference  
8 room April 9th, and we'll get you time if you want to  
9 come and step in. But it's working real good. The flow  
10 of information is coming very steady from the DARS  
11 people.

12                   We are getting everything we need. So  
13 we'll keep you posted. We've had a few briefings.  
14 Mr. Chairman, you joined us yesterday with the  
15 Lieutenant Governor's staff. It seems to be received  
16 well.

17                   There seems to be really no opposition  
18 that we've heard other than the advocate community would  
19 like to see those other three programs, children  
20 (inaudible) blind and (inaudible) moved with it, but  
21 other than that there seems to be support from the  
22 advocate community for this to move.

23                   CHAIRMAN ALCANTAR: Any questions,  
24 Commissioners? We have no items for executive -- well,  
25 before we finish, Michael, if you would stand. Do you

1 have any members of your team here?

2 MR. BRITT: (From the audience) No, sir.

3 CHAIRMAN ALCANTAR: Well, be sure and  
4 thank them for all the hard work and all the hours  
5 they're putting in.

6 We're at the midpoint. We have a lot of  
7 work to do, but I think it's important to really  
8 acknowledge the long hours and the hard work. We are  
9 getting great updates and making good progress.

10 I want to make sure that the staff and the  
11 team understands how much we appreciate their hard work  
12 and making sure that all the other division resources  
13 are available.

14 I know that the other divisions, Larry,  
15 how to respond to Michael and give him the answers that  
16 he needs and I know that they're doing that. So make  
17 sure that that "thank you" goes out to the rest of the  
18 team.

19 MR. TEMPLE: Yeah. He's saying all of  
20 that because he knows it's really fixing to get busy and  
21 you're really fixing to stay here real late. So...

22 (Laughter)

23 CHAIRMAN ALCANTAR: Yeah, the hours are  
24 going to get longer. Absolutely they are. We've all  
25 been there.

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AGENDA ITEM NO. 18

CHAIRMAN ALCANTAR: Commissioner

Congleton, do we have a motion to adjourn?

COMM. CONGLETON: So made.

COMM. ANDRADE: Second.

CHAIRMAN ALCANTAR: We are adjourned.

Have a good day.

(Proceedings concluded at 9:43 a.m.)

## 1 C E R T I F I C A T E

2 STATE OF TEXAS )

3 COUNTY OF TRAVIS )

4 I, William C. Beardmore, Certified Shorthand  
5 Reporter in and for the State of Texas, do hereby  
6 certify that the above-mentioned matter occurred as  
7 hereinbefore set out.

8 I FURTHER CERTIFY THAT the proceedings of such  
9 were reported by me or under my supervision, later  
10 reduced to typewritten form under my supervision and  
11 control and that the foregoing pages are a full, true,  
12 and correct transcription of the original notes.

13 IN WITNESS WHEREOF, I have hereunto set my hand  
14 and seal this 7th day of April, 2015.

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