

**TEXAS WORKFORCE COMMISSION**

**WIOA COMBINED STATE PLAN  
APPENDIX 10**

**PLAN DEVELOPMENT AND PUBLIC COMMENT**

## Plan Development

Texas seeks ongoing avenues to solicit input into the development and enhancement of the workforce service-delivery system.

The Texas Workforce Commission (TWC) has several established mechanisms for communicating with and seeking input from the 28 Local Workforce Development Boards (Boards). TWC regularly consults with the Texas Association of Workforce Boards, an organization composed of Board members and Board staff. Additionally, TWC conducts biweekly conference calls to discuss relevant issues with the Boards. Additional conference calls are arranged to provide an opportunity for an expanded discussion and to receive input on specific issues.

Texas employers also have multiple opportunities to offer TWC input regarding the Texas workforce system, including attending the Texas Business Conference and providing feedback directly to TWC:

- TWC's Commissioner Representing Employers hosts the conference, which addresses employer workplace issues and is held 15 to 17 times a year in communities across the state. Since 1998, the conference has drawn in more than 37,000 Texas employers. At each conference, Board staff and contractors are invited to participate and interact directly with the attendees.
- The Employer Commissioner's Office solicits feedback from employers through its newsletter, *Texas Business Today*, distributed quarterly to over 100,000 employers.

TWC organizes and sponsors the Annual Texas Workforce Conference and the Workforce Forum each year, allowing information sharing regarding all aspects of workforce and economic development. Approximately 1,000–1,200 participants attend the conference, and approximately 200 participants attend the forum. These events are a valuable tool in promoting ongoing dialogue among TWC, the Boards, and other Texas workforce system partners.

TWC's Commissioner Representing Employers and Commissioner Representing Labor both have toll-free telephone numbers, which encourage the exchange of information regarding workforce issues. TWC's user-friendly website, with e-mail links and telephone numbers relating to topics of customer interest, encourages the continued exchange of information.

Additionally, a series of seven public meetings across the state regarding Workforce Innovation and Opportunity Act (WIOA) plan development and the transition of Vocational Rehabilitation (VR) services from the Texas Department of Assistive and Rehabilitative Services (DARS) to TWC were conducted from July through September 2015. These meetings allowed for valuable input from stakeholders on both topics. Locations included Austin, Dallas, McAllen, Houston, Tyler, Lubbock, and El Paso. In addition to the comments received addressing workforce planning elements, there were many commenters who provided input on the upcoming transition of vocational rehabilitation to TWC. A summary of those comments may be found in Appendices 2 and 3.

All input was considered in the development of the strategies outlined in this Combined State Plan for the Workforce Innovation and Opportunity Act of 2014 (state plan), as well as in the development of TWC rules and policies.

At TWC's November 3, 2015, public meeting, the draft state plan was approved for public comment and posted on TWC's website.

The Board chairs and executive directors were notified of the date that the state plan public comment period would end. The Board executive directors were asked to notify chief elected officials (CEOs), Board members, and other stakeholders of the state plan and the dates of its public comment period. Additionally, TWC provided notification of the state plan's public comment period to the Texas Workforce Investment Council. The draft state plan also was discussed with the Board executive directors and other Board and contractor staff during a scheduled biweekly conference call.

## **Public Comment**

The following comments on the state plan were received during the public comment period ending December 4, 2015. TWC and DARS thank the commenters and are committed to continued collaboration in efforts to improve employment opportunities and outcomes for Texans with barriers to employment, including individuals with disabilities.

Comment 1: Brazos Valley Center for Independent Living suggested that a portion of Innovation and Expansion (I&E) monies be set aside to fund programs carried out by centers for independent living and community rehabilitation. Eligible programs would develop prerequisite soft skills, on-the-job training opportunities, and other work experience activities for individuals with disabilities facing barriers to employment.

Response: DARS appreciates the comment. As described in the state plan, DARS continues to adopt innovative strategies to expand services in a changing environment and to improve coordination across programs that increase employment outcomes for individuals with disabilities.

Comment 2: Ed Hammer, PhD, Clinical Professor of Pediatrics, School of Medicine, and Department of Pediatrics at Texas Tech Health Science Center in Amarillo, commented on the state plan's services for individuals with disabilities. The commenter expressed concern for children's services and early intervention and prevention programs for individuals with disabilities. The commenter also recommended proactive planning to better use resources to produce quality services.

Response: We appreciate the comments. DARS and TWC are committed to working in partnership with Texans with disabilities and to providing services that help people with disabilities prepare for, find, and keep jobs.

DARS and TWC are committed to continue improving efforts, including but not limited to developing new and maintaining existing partnerships, ensuring quality services, continuously

improving employment outcomes, using evidence-based strategies in service delivery, and strategically and proactively planning to provide services for Texans with disabilities.

Comment 3: The American Association of Retired Persons (AARP), a national grantee including the Texas AARP Foundation Senior Community Service Employment Program (SCSEP) Operations, provided technical corrections and suggested that the state plan include additional information on its employer-partner activities.

Response: TWC agrees with AARP and revised the SCSEP section to include its current partner activities.

Comment 4: Senior Service America, Inc. (SSAI), a SCSEP national grantee serving participants in Texas, commented on its operations related to the SCSEP section of the state plan and its commitment to improving the employment, health, and well-being of low-income older Americans.

SSAI further commented on the estimated increase in the proportion and diversity of the Texas population age 55 and older in need of workforce development services. SSAI expressed concern that the national workforce development system underserved older workers under WIA, as reported in 2003 by the U.S. Government Accountability Office on some of WIA's performance measures that created disincentives for program administrators to provide in-depth services to this population.

SSAI recommended that under WIOA "this systemic bias" against older workers be corrected by: (a) including older workers as one of the targeted service populations; (b) including additional information about SCSEP in other sections of the state plan; (c) promoting and supporting SCSEP-one-stop collaboration, specifically in prorating one-stop infrastructure cost allocation based on the costs of SCSEP participants and enrollees assigned to the one-stop; (d) serving the diversity of older workers more effectively through strong SCSEP-one-stop memoranda of understanding (MOUs); (e) investing in skills and knowledge training of one-stop staff, in collaboration with Texas Department of Aging and Disability Services staff; identifying host agencies to communicate with limited English proficient participants and the employers that can hire them; and partnering with the Hispanic Chamber of Commerce and other organizations; (f) monitoring and guarding against disproportionately or inappropriately referring older Texans to self-service tools; (g) collecting and reporting more data to ensure older Texans are appropriately served; and (h) correcting a reference to SSAI's role with community colleges.

Response: TWC thanks SSAI for its comments, concerns, and recommendations. Through its state plan, TWC has laid the foundation for establishing a workforce development system that serves all core programs and their targeted populations in a manner that is customer-focused and supports an integrated service design and delivery model. Additionally, the state plan includes optional workforce programs and activities under TWC's purview in this streamlining effort, namely SCSEP.

- a. One of WIOA's primary purposes is to increase and enhance opportunities for individuals with barriers to employment, which is defined in WIOA §3(24), including older individuals.

TWC is aware of the state's changing demographics and skills gaps, and continues to design programs to meet increasingly complex workforce needs. TWC will continue to provide targeted services for older individuals through the administration of the SCSEP grant and through continued partnership with SCSEP national grantees.

- b. One of WIOA's principal areas of reform is to require states to plan across programs to provide a range of employment, education, training, and related services and supports to help participants secure good jobs while providing employers with the skilled workers needed to compete in the global economy. States have the option to submit a state plan that would include, in addition to the core programs, other federal programs with a workforce development component, such as SCSEP, among others. The state plan's partner programs are subject to the common planning elements (Sections II and III of the state plan), where specified, as well as the specific requirements for that program. As such, the state plan establishes an inclusive definition of "participant" that is sufficiently broad to apply across core and partner programs, including SCSEP, yet take into account programmatic requirements, such as the eligibility determination. SCSEP is the focus of Appendix 5 of the state plan, in compliance with the Information Collection Request (ICR) by the U.S. Departments of Labor and Education (Departments).
- c. SSAI's comments regarding allocated infrastructure costs proportionate to SCSEP participation are duly noted. However, TWC does not determine the basis for which Boards establish their cost allocation plans. Under TWC's locally administered system, Boards are responsible for determining their cost allocation plans. TWC is developing guidance for Boards regarding the required funding of infrastructure costs by partner programs. In part, TWC's policy will state that Boards, with the agreement of CEOs, must develop and enter into MOUs with statutorily required one-stop partners for operation and funding of a one-stop delivery system in the local workforce development area (workforce area). Boards may also enter into MOUs with other optional partners, as described by WIOA. Among several required provisions, the MOU must include a final plan, or an interim plan if needed, on how the one-stop centers' infrastructure costs will be funded.
- d. SSAI's comments regarding strong SCSEP-one-stop MOUs are also noted. As stated in the state plan, MOUs established among Boards and one-stop partners set forth the operation of the one-stop delivery system to seamlessly and meaningfully serve individuals with barriers to employment.
- e. The state plan focuses on the strategic planning elements necessary to communicate the state's vision and goals for preparing an educated and skilled workforce that meets employers' needs. Certain detailed operational elements, such as staff training, go beyond the state plan's focus and are not included. TWC appreciates the comments regarding the need to ensure that staff members are trained, and we remain committed to ensuring that the diverse needs of individuals with barriers to employment, including English language learners, are appropriately addressed.
- f. The state plan reflects our state-established one-stop delivery system, which complies with the intent of the proposed regulations implementing WIOA, stating that participants will

receive a seamless, one-stop experience that includes a professional level of service provided in a timely manner. Specifically, TWC affirms that individuals directly seeking career services from the one-stop should receive more robust or “meaningful” service beyond what they could obtain on their own using self-service tools, such as public websites and phone numbers; instead TWC intends for them to receive meaningful staff-assisted services, if needed.

- g. SSAI’s recommendation to collect and report more data to ensure older Texans are appropriately served is addressed in the state plan. Program and other data from across the Texas workforce system are critical in evaluating the extent to which Texas workforce system programs, services, and products are meeting the needs of customers and stakeholders. The collection of key data, as well as the reporting and analysis of that data—in a consistent and useful manner—are essential in demonstrating outcomes, determining if changes are required or desired, and establishing benchmarks for future performance.
- h. TWC has revised the state plan to correctly reflect SSAI’s role with community colleges.

Comment 5: The Local Initiatives Support Corporation (LISC) of Greater Houston and the Houston Financial Opportunity Center (FOC) Network commented on the importance of equipping workers with the knowledge and skills they need to achieve long-term financial stability. LISC and FOC recommended that the state plan consider: (1) expanding financial education and literacy services, and their definitions, to include financial capability (i.e., helping adults and youth connect to safe, affordable financial products and services that encourage saving and wealth management behaviors); (2) including financial coaching services with follow-up services for unsubsidized workers; (3) encouraging Boards to partner with service delivery agencies, such as the FOC, that integrate job placement with financial capability services, especially in communities reflecting target populations; and (4) inserting language in the state plan that addresses the need for services that foster financial capabilities and encourages partnerships and contracts between Boards and the agencies delivering them.

Response: TWC thanks LISC and FOC for their comments and recommendations. Financial literacy is a new program element under WIOA §129(b)(2)(D) and its proposed rule §681.500, which describes the activities included in the program element. LISC and FOC’s recommendations align with what is stated in the allowable statewide activities section of supporting financial literacy. However, TWC has been implementing this requirement for many years, as Texas state statute has long contained a requirement for Boards to offer training in financial literacy.

TWC plans to continue to emphasize the availability of a variety of financial literacy activities into the service-delivery strategy within the one-stop delivery system. Under WIOA, states are encouraged to develop and implement strategies for workforce areas to use to coordinate financial literacy services to participants and provide financial literacy activities to youth. TWC agrees with the need for services that foster financial education and literacy services, including financial capability, and encourages partnerships and contracts between Boards and the agencies delivering them.

Comment 6: The Texas State Independent Living Council (SILC) supports the state plan with the following additions.

- a. A Coordination of Independent Living section should be added, with the role of SILC and Texas' Centers for Independent Living (CIL) expressly stated.

Response: Texas remains committed to working collaboratively with SILC to meet consumers' needs. As stated in the proposed regulations, "WIOA separates the strategic and operational plan elements to facilitate cross-program strategic planning. The separation of strategic elements allows the state to develop a vision of its entire system and identify the operational elements across the programs that support the system-wide vision." The state plan's strategic planning elements include formulation of the state's vision and goals for preparing an educated and skilled workforce that meets the needs of employers, and a strategy to achieve the vision and goals. Inclusion of the proposed operational planning language by SILC would be beyond the required scope of the state's vision and goals.

- b. Language describing SILC's and CIL's help in achieving the state's vision and goals (page 65 or 66 of the draft plan). SILC also recommends funding sources for the activities supporting its role.

Response: In compliance with the WIOA Unified and Combined State Plan Requirements–Draft, the state plan describes how the entities carrying out the respective core programs will coordinate activities and resources to provide comprehensive, high-quality, customer-centered services (section: Coordination, Alignment, and Provision of Services to Individuals). However, TWC will include language to note its intent to continue to coordinate with SILC and CILs to serve mutual consumers who need employment assistance, as well as assistance with independent living resources.

- c. Reference the Rehabilitation Council of Texas (RCT) consultation on the preparation and administration of the VR programs (page 59 of the state plan) in addition to SILC's coordination with the RCT and their working relationship.

Response: In compliance with the ICR by the U.S. Department of Education, the VR portion of the state plan includes a section regarding RCT consultation. DARS' Division for Blind Services (DBS) and Division for Rehabilitation Services (DRS) consulted with RCT throughout the development of the plan, and RCT's comments and consultation are contained in Sections 1 of both the DRS and DBS plans, and were prepared by RCT, DRS, and DBS.

- d. An opportunity for SILC to review biennially and assist TWC's Training and Development Department in developing Americans with Disabilities Act (ADA) training of Texas Workforce Solutions staff members.

Response: TWC appreciates SILC's offer to assist TWC's Training and Development Department in developing the training on the ADA and the Rehabilitation Act for Texas Workforce Solutions staff members.

TWC and the DARS' DBS and DRS teams thank SILC for its support and recommendations. DARS maintains collaborations with community partners and other state agencies, including representation on and joint meetings with SILC. This coordination is described in the VR services portion of the state plan, Appendices 2 and 3. The transition of the grant for Independent Living Services for older individuals who are blind, along with the General Vocational Rehabilitation and Blind Vocational Rehabilitation programs, to TWC is also included in the state plan and the Plan for the Transfer of Vocational Rehabilitation Services and Other Services and Programs, Appendix 6. Appendix 6 expressly addresses coordination with SILC in compliance with the Departments' ICR.

## **Regional Public Meetings**

Members of the public were invited to meetings, held at seven locations throughout the state, to provide input to officials from TWC and DARS as the agencies prepared the state plan for core and optional programs governed by WIOA.

Comment 1: Several commenters focused on the importance of system integration across all programs, and based on communication coupled with a clear vision and direction established at the top. Commenters also sought a plan that encouraged and rewarded innovation and invested in training and development opportunities, while allowing for local flexibility.

Response: TWC, in coordination with Boards and other grantees and stakeholders, is working diligently to ensure that all are prepared for the implementation of the state plan governed by WIOA. This work maintains that all Texas workforce system customers are valued, informed contributors to and drivers of the system, thus allowing state and local policy makers to strategically plan for the needs of the state.

Texas has historically been seen as a leader in workforce integration. The Texas workforce system provides locally customized services that address the needs of each region of the state. TWC and the Boards will continue to refine and improve Texas' integrated structure in order to operate in the most efficient and effective manner possible.

As stated in its vision, TWC and its Texas Workforce Solutions partners will maximize the power of innovation and partnerships to boost superior business outcomes and realize a competitive advantage for all Texans in the global economy.

Comment 2: A commenter advocated for an overview of the Texas workforce system that recognized employers as key to the service-delivery process. Additionally, the commenter suggested the state plan provide maximum flexibility to local program operators. The commenter stated that the state plan should also reflect a strategy consistent with the results for which the system is striving. To this end, the commenter suggested that TWC consider best practices for integrating programs and measuring performance under the performance measures described in the state plan, as well as for supporting the transition timing as WIOA is implemented.

Response: TWC thanks the commenter for contributing to the meeting. WIOA places a heightened emphasis on coordination and collaboration at the federal, state, and local levels to ensure a streamlined and coordinated service-delivery system for both employers and job seekers. Long before WIOA, TWC took a market-driven approach to the workforce development system. A market-driven workforce development system plays a vital role in Texas by serving as a hub for sharing information related to jobs and skills, facilitating connections between businesses and job seekers, and providing assistance with job search and training needs. Additionally, in Texas, local leadership—CEOs, Boards, and Board staff—has long championed regional planning, particularly in developing opportunities in in-demand industry sectors and occupations. The state plan affirms that regional planning must be allowed enough flexibility to occur around activities and issues when and where it makes sense.

As provided in the state plan, continuous improvement efforts by the Boards are facilitated and encouraged through activities such as sharing best practices and other information at TWC's annual conference, workforce forums, and regional and local meetings. TWC actively monitors the workforce development system through monthly, and, in some cases weekly, performance reports. Program staff reviews these reports and communicates with system partners as appropriate to provide technical assistance and obtain information on best practices to share with other partners. TWC's three-member Commission holds open and posted performance and financial briefings on a quarterly basis. TWC will continue these effective practices under WIOA and extend them further.

In addition to the comments received addressing workforce planning elements, many commenters provided input on the upcoming transition of VR services to TWC. A summary of those comments may be found in Appendices 2 and 3.