

CHAPTER 847. PROJECT RIO EMPLOYMENT ACTIVITIES AND SUPPORT SERVICES

PROPOSED RULES WITH PREAMBLE TO BE SUBMITTED TO THE *TEXAS REGISTER*. THIS DOCUMENT WILL HAVE NO SUBSTANTIVE CHANGES BUT IS SUBJECT TO FORMATTING CHANGES AS REQUIRED BY THE *TEXAS REGISTER*.

ON **MARCH 30, 2006**, THE TEXAS WORKFORCE COMMISSION PROPOSED THE BELOW RULES WITH PREAMBLE TO BE SUBMITTED TO THE *TEXAS REGISTER*.

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The Texas Workforce Commission (Commission) proposes amendments to the following sections of Chapter 847 related to Project RIO Employment Activities and Support Services:

Subchapter A. General Provisions, §§847.1–847.3

Subchapter B. Project RIO Job Seeker Responsibilities, §847.11 and §847.12

Subchapter C. Project RIO Services, §847.21 and §847.22

Subchapter D. Project RIO Employment Activities, §847.31

Subchapter E. Project RIO Support Services, §847.41

PART I. PURPOSE, BACKGROUND, AND AUTHORITY
PART II. EXPLANATION OF INDIVIDUAL PROVISIONS
PART III. IMPACT STATEMENTS
PART IV. COORDINATION ACTIVITIES

PART I. PURPOSE, BACKGROUND, AND AUTHORITY

The purpose of the proposed Chapter 847 rules changes is to:

- (1) implement the direction of House Bill (HB) 2837, enacted by the 79th Texas Legislature, Regular Session (2005), concerning Project Reintegration of Offenders (Project RIO);
- (2) modify language referencing specific divisions of the Texas Department of Criminal Justice (TDCJ);
- (3) reflect revised funding strategies to support Project RIO service provision; and
- (4) remove provisions related to Local Workforce Development Board (Board) responsibilities for the distribution of ex-offender documents.

HB 2837 directs increased data connectivity between the Texas workforce system and its Project RIO partners—TDCJ and the Texas Youth Commission (TYC). Additionally, the legislation directs the Windham School District, which is responsible for providing academic and vocational

training services in TDCJ correctional institutions, to ensure that the training provided is targeted to current and emerging job opportunities in the Texas labor market.

Because of TDCJ's reorganization, the proposed rules remove references to TDCJ's specific organizational divisions and replace them with the more generic terms, TDCJ "correctional institutions" and "supervising offices."

The previous funding strategy to support Project RIO service provision relied heavily upon co-enrolling job seekers in Food Stamp Employment and Training (FSE&T) services. Currently, Texas Workforce Center and satellite office staff is encouraged to enroll Project RIO job seekers in the most appropriate employment and support services for the individual. The proposed rules reflect that co-enrollment continues to benefit Project RIO service provision; however, language regarding specific reliance on FSE&T has been deleted.

TDCJ has assumed responsibility for the distribution of employment documents (e.g., Social Security cards, birth certificates, DD214s [U.S. Department of Defense form that evidences military service and separation circumstances], driver's licenses) upon an individual's release from incarceration. Accordingly, the proposed rules delete the reference to Boards performing this function.

PART II. EXPLANATION OF INDIVIDUAL PROVISIONS

(Note: Minor, nonsubstantive, editorial changes are made throughout Chapter 847 that do not change the meaning of the rules and, therefore, are not discussed in the Explanation of Individual Provisions.)

SUBCHAPTER A. GENERAL PROVISIONS

§847.1. Purpose

The Commission proposes amending §847.1(a) by replacing references to the TDCJ "State Jail Division facility" and "Institutional Division" facility with the term TDCJ "correctional institution," both in this subsection and throughout Chapter 847.

The Commission proposes amending language in §847.1(b) to specify that the memorandum of understanding is between the Agency, TDCJ, and TYC.

The Commission proposes amending §847.1(c) to reflect new funding strategies to support Project RIO service provision. Specific reference to FSE&T funds is removed and replaced with a broader reference to integrating Project RIO service provision with the full range of activities and services available through the Texas workforce system.

§847.2. Definitions

The Commission proposes amending §847.2(1)(A) by replacing the reference to the TDCJ "Institutional Division" with the collective reference TDCJ "correctional institution," and

deleting the reference to the TDCJ "Parole Division," referring instead to "parole" supervision by TDCJ.

The Commission proposes deleting §847.2(1)(B), which stipulates the eligibility of State Jail releasees for Project RIO services. Proposed §847.2(1)(A) defines Project RIO job seekers as releasees from all classes of TDCJ correctional institutions. Section 847.2(1)(C) is renumbered as §847.2(1)(B).

The Commission proposes amending §847.2(3), which defines TDCJ, by removing references to the "Institutional, Parole, and State Jail Divisions," which are specific divisions of TDCJ.

The Commission proposes amending §847.2(4), which defines TYC, by expanding the definition to include TYC's responsibilities for parole operations.

The Commission proposes deleting §847.2(5), which defines Food Stamp Employment and Training. The Commission has broadened its use of resources for serving ex-offenders and adjudicated youth; therefore, it is unnecessary to define specific services.

The Commission proposes adding new §847.2(5) to define the Windham School District, which provides prerelease educational and vocational training services to adult offenders incarcerated in TDCJ correctional institutions. This new definition is added in response to the provisions of HB 2837 and the functions Windham School District performs in preparing offenders for reentry into society.

§847.3. General Board Responsibilities

The Commission proposes amending §847.3(a) by requiring that individuals referred as Project RIO job seekers also include "self-referred individuals." In addition, proposed changes to this subsection include adding adjudicated youth as part of the service population.

The Commission proposes amending §847.3(b) by replacing "General Equivalency Diploma" with "General Educational Development (GED) credential."

The Commission proposes amending §847.3(c)(1), Parole Supervising Offices, by replacing references to "Parole Division" with "TDCJ or TYC," and replacing references to "TDCJ Parole Offices" with "supervising office."

The Commission proposes amending §847.3(c)(2), TDCJ Institutional Division, by retitling the paragraph "Correctional Institutions," which provides a collective reference for TDCJ divisions. Further, the Commission proposes incorporating coordination with TYC correctional institutions, as this process is essentially similar to that required of TDCJ correctional institutions. The Commission also proposes amending §847.3(c)(2) by removing the requirement to provide results of Project RIO services to the TDCJ Institutional Division. The Commission believes that this information is more properly provided to the supervising office as set forth in §847.3(c)(1).

The Commission proposes deleting §847.3(c)(3), TDCJ State Jail Division. Proposed §847.3(c)(2) includes the TDCJ State Jail Division in the collective term "correctional institutions."

HB 2837 requires the coordination of educational and vocational training efforts conducted by Windham School District and prioritizes efforts to assist ex-offenders in securing employment related to their prerelease training. The Commission proposes new §847.3(c)(3), Windham School District, which states that Boards must coordinate on an ongoing and continuing basis with the Windham School District by providing labor market information for their local workforce development area, including current and emerging jobs. Additionally, Boards must include the education and training received during incarceration in the Project RIO job seeker's Individual Employment Plan in order to maximize the number of training-related job referrals the Project RIO job seeker receives.

The Commission proposes deleting §847.3(c)(4) relating to coordination with TYC Offices. Proposed §847.3(c)(1) and §847.3(c)(2) set forth the coordination requirements with TYC correctional institutions and parole offices; therefore, §847.3(c)(4) is no longer necessary.

The Commission proposes adding new §847.3(c)(4), which requires the development of memoranda of understanding between Boards, TDCJ, TYC, and the Windham School District pursuant to Project RIO service provision. Currently, this requirement is contained in the Agency's funding instruments used to support TDCJ, TYC, and Board Project RIO services. The proposed new paragraph requires, at a minimum, that the memoranda of understanding must include referral coordination, progress reporting, and the provision of labor market information to the Windham School District.

The Commission proposes amending §847.3(d)(1) by removing the specific references to "WIA Adult and Youth services and Food Stamp Employment and Training (FSE&T)" services. The Commission's intent is to integrate Project RIO services with all services available through the Texas Workforce Centers.

The Commission proposes deleting §847.3(d)(2), which requires that Boards route employment documents, such as birth certificates and Social Security cards, secured by TDCJ and TYC during incarceration to ex-offenders. TDCJ and TYC have assumed this responsibility; therefore, it is no longer a requirement of the Boards.

Section 847.3(d)(3), stipulating establishment of a parole point of contact, is renumbered as §847.3(d)(2). The Commission proposes replacing the reference to "the TDCJ Parole Division and the TYC" with the collective reference "TDCJ and TYC supervising offices."

Section 847.3(d)(4), stipulating outreach of Project RIO job seekers at TDCJ and TYC facilities, is renumbered as §847.3(d)(3). The Commission proposes replacing the references to TDCJ "Parole Division" and TYC "facilities" with the collective reference "TDCJ and TYC supervising offices."

Section 847.3(d)(5), stipulating Board participation in TDCJ job fairs/career days, is renumbered as §847.3(d)(4). The Commission proposes amending this paragraph by adding participation in TYC job fairs/career days and using the collective reference to "correctional institutions."

Section 847.3(d)(6), stipulating the use of reporting and document management systems, is renumbered as §847.3(d)(5). The Commission proposes amending this paragraph to require the timely reporting of data reflecting Project RIO service provision in order to ensure that the charge of HB 2837 is addressed.

Section 847.3(d)(7) and §847.3(d)(8) are renumbered as §847.3(d)(6) and §847.3(d)(7), respectively.

The Commission proposes amending §847.3(f) by changing the paragraph title from "TDCJ Notice" to "TDCJ and TYC Notice," thereby including notice to TYC. Additionally, the collective term "supervising office" replaces the specific reference to "TDCJ Parole Division."

Currently, §847.3(h) requires that employment referrals regarding adjudicated youth be confidential. The Commission proposes expanding the requirement to state that all information related to the adjudicated status of a youth must be confidential and must not be disclosed to other entities or individuals.

SUBCHAPTER B. PROJECT RIO JOB SEEKER RESPONSIBILITIES

§847.11. Job Seeker Responsibilities

The Commission proposes deleting §847.11(1), which requires that Project RIO job seekers complete and sign an application for food stamp benefits. The proposed deletion of this requirement reflects the change in funding strategies used to support Project RIO service provision. While the referral of most Project RIO job seekers to the Texas Health and Human Services Commission (HHSC) for food stamp assistance is appropriate, the language in rule is no longer necessary because the funding strategies do not explicitly rely upon FSE&T resources.

Sections 847.11(2)–847.11(8) are renumbered as §§847.11(1)–847.11(7), respectively.

§847.12. Job Seeker Failure to Comply

The Commission proposes amending §847.12 by deleting the phrase "referred by TDCJ Parole Division" because not all job seekers are referred by supervising offices. Further, the Commission proposes amending §847.12 by replacing the specific reference to the "TDCJ Parole Division" and including the requirement that the "TDCJ or TYC supervising office" be notified.

SUBCHAPTER C. PROJECT RIO SERVICES

§847.21. Job Seeker Assessment

The Commission proposes amending §847.21(b) by adding that assessments also must include evaluations of "knowledge, skills, and abilities." In addition, the Commission proposes amending §847.21(b)(4) by replacing the reference to parole "officer" with "office." The Commission believes that this information is more properly coordinated with the supervising office as set forth in §847.3(c)(1).

§847.22. Job Seeker Individual Employment Plan

The Commission proposes amending §847.22(1) by changing the reference to TDCJ or TYC "facility" to the collective reference "correctional institution."

The Commission proposes amending §847.22(4) by changing the reference to TYC "facility" to the collective reference "correctional institution."

SUBCHAPTER D. PROJECT RIO EMPLOYMENT ACTIVITIES

§847.31. Employment Activities for Project RIO Job Seekers

The Commission proposes deleting §847.31(a)(1) because the funding strategy used to support Project RIO services has changed from an explicit reliance on FSE&T resources to one in which Project RIO job seekers have access to the full range of employment and training activities provided by the Texas workforce system; therefore, this paragraph is no longer necessary. Additionally, the Commission proposes removing §847.31(a)(2) and incorporating the text in §847.31(a). Sections 847.31(a)(2)(A)–847.31(a)(2)(G) are renumbered as §§847.31(a)(1)–847.31(a)(7).

The Commission proposes replacing the term "officer" with "office" in §847.31(b)(1). The Commission also proposes to reorder the language in §847.31(c) for better clarity.

SUBCHAPTER E. PROJECT RIO SUPPORT SERVICES

§847.41. Provision of Project RIO Support Services

The Commission proposes amending §847.41(a) by specifying that post-employment needs are included as an allowable support service.

PART III. IMPACT STATEMENTS

Randy Townsend, Chief Financial Officer, has determined that for each year of the first five years the rules will be in effect, the following statements will apply:

There are no additional estimated costs to the state and to local governments expected as a result of enforcing or administering the rules.

There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rules.

There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rules.

There are no foreseeable implications relating to costs or revenue of the state or local governments as a result of enforcing or administering the rules.

There are no anticipated economic costs to persons required to comply with the rules.

There is no anticipated adverse economic impact on small or microbusinesses as a result of enforcing or administering the rules.

Mark Hughes, Director of Labor Market Information, has determined that there is no significant negative impact upon employment conditions in the state as a result of the rules.

The Agency hereby certifies that the proposed rules have been reviewed by legal counsel and found to be within the Agency's legal authority to adopt.

Luis M. Macias, Director of Workforce Development Division, has determined that for each year of the first five years the rules are in effect, the public benefit anticipated as a result of enforcing the proposed rules will be to better prepare Project RIO job seekers to meet the workforce needs of Texas employers and to better meet Project RIO job seekers' needs for long-term employment.

PART IV. COORDINATION ACTIVITIES

In the development of these rules for publication and public comment, the Commission sought the involvement of each of Texas' 28 Boards and the TWC Advisory Committee. The Commission provided the policy concept to each of these groups for consideration and review. During the rulemaking process, the Commission considered all information gathered in order to develop rules that provide clear and concise direction to all parties involved.

Comments on the proposed rules may be submitted to TWC Policy Comments, Workforce and UI Policy, 101 East 15th Street, Room 440T, Austin, Texas 78778; faxed to 512-475-3577; or e-mailed to TWCPolicyComments@twc.state.tx.us. The Commission must receive comments postmarked no later than 30 days from the date this proposal is published in the *Texas Register*.

The rules are proposed under Texas Labor Code §301.0015 and §302.002(d), which provide the Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of Agency services and activities.

The proposed rules will affect Texas Labor Code, particularly Chapters 301 and 302, as well as Texas Education Code, Chapter 19; Texas Labor Code, Chapter 306; and Texas Government Code, Chapter 552.

Chapter 847. PROJECT RIO EMPLOYMENT ACTIVITIES AND SUPPORT SERVICES

SUBCHAPTER A. GENERAL PROVISIONS

§847.1 Purpose.

- (a) Purpose. -The purpose of Project RIO is to provide a statewide employment referral program designed to reintegrate into the labor force persons sentenced to a Texas Department of Criminal Justice (TDCJ) correctional institution ~~State Jail Division facility or the Institutional Division~~ and persons committed to the Texas Youth Commission (TYC).
- (b) Scope of Rules. The Project RIO standards and guidelines, set forth in this chapter, address the roles and responsibilities of Boards to ensure that Project RIO employment activities and support services are available statewide through the Texas Workforce Centers consistent with 40 TAC Chapter 801 relating to the One-Stop Service Delivery Network. -Project RIO employment activities and support services are provided to adult and youth offenders before release by ~~the~~ TDCJ and ~~the~~ TYC. Post-release employment activities and support services are provided through the Texas Workforce Centers, and are designed to provide ex-offenders with employment activities and support services that promote employment, meet the needs of Texas employers, and help reduce recidivism. The provisions in this chapter are intended to be consistent with Texas Labor Code, Chapter 306;⁵ Texas Government Code §2308.312;⁵ and the Agency's memorandum of understanding ~~Memorandum of Understanding~~ with ~~the~~ TDCJ and ~~the~~ TYC.
- (c) Funding Integration. The Commission intends, to the greatest extent possible, to integrate all available funding sources in the delivery of Project RIO services, and support and expand Project RIO services by ensuring that ex-offenders and adjudicated youth have access to the full range of employment and training activities provided by the One-Stop Service Delivery Network ~~leveraging the General Revenue appropriation for Project RIO and federal FSE&T funds.~~

§847.2 Definitions.

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

- (1) Project RIO job seeker -- an individual involved with the Texas criminal or juvenile justice systems that may include the following:
- (A) Adults ~~adults~~ who were sentenced to a formerly confined by the TDCJ correctional institution ~~Institutional Division~~, and who are within one year after their release from incarceration, or ~~and~~ are currently under, or within

one year of completion of their term of parole supervision by ~~the~~ TDCJ ~~Parole Division~~; and

~~(B) adults who were formerly confined in a TDCJ State Jail facility and who are within one year after their release from incarceration; and~~

~~(B)(C)~~ Adjudicated ~~adjudicated~~ youth ages 16 through 21, seeking employment activities and support services, who were ~~formerly confined in a TYC correctional institution~~ facility.

- (2) Job Seeker Responsibility Agreement -- an agreement between the Project RIO job seeker and the Texas Workforce Center ~~operator~~ or the Board's designated service provider. This agreement outlines the Project RIO job seeker's responsibilities for continued enrollment in Project RIO activities.
- (3) TDCJ -- the Texas Department of Criminal Justice, ~~which includes the Institutional, Parole, and State Jail Divisions~~, is the state agency that manages the overall operations of the state's prison, parole, and state jail systems.
- (4) TYC -- the Texas Youth Commission, ~~which~~ is the state's juvenile corrections agency, that manages the overall operations of the state's youth correctional institutions and parole operations ~~facilities~~.
- ~~(5) Food Stamp Employment and Training (FSE&T) -- the activities and support services that assist food stamp recipients in entering employment through participation in allowable job search, training, education, or workfare activities that promote self-sufficiency.~~
- (5) Windham School District -- the school district that is responsible for providing academic as well as career and technology education to eligible offenders incarcerated in TDCJ correctional institutions.

§847.3. General Board Responsibilities.

- (a) Role of Boards. A Board shall ensure that individuals referred as Project RIO job seekers by ~~the~~ TDCJ and ~~the~~ TYC, as well as self-referred individuals ~~self-referred, as Project RIO job seekers~~ participate in Project RIO employment activities and support services, and other workforce activities and support services as appropriate. The employment activities and support services, as defined in this chapter, should meet the needs of local employers, prepare Project RIO job seekers to compete in the labor market, and assist ex-offenders and adjudicated youth in locating employment.
- (b) Board Planning. A Board shall develop, amend, and modify its Integrated Plan to incorporate and coordinate the design and management of the delivery of Project RIO employment activities and support services with the delivery of other workforce employment, training, and educational services identified in Texas Government

Code §2308.251 *et seq.*, Texas Government Code §2308.312 *et seq.*, as well as other employment and training services included in the One-Stop Service Delivery Network as set forth in Chapter 801 of this title.

The ~~Texas Workforce Commission's (Commission)~~ intent is to assist Project RIO job seekers with securing employment as quickly as possible; however, Project RIO - Youth may need basic skills training and education to secure employment. Specifically, Boards shall consider integration with WIA Youth services or other funding sources, as appropriate, for assisting Project RIO -- Youth with obtaining the basic General Educational Development General Equivalency Diploma (GED) credential or basic skills training.

- (c) Board Coordination. The Boards shall coordinate with the following entities to ensure the transition to employment of Project RIO job seekers:
- (1) ~~TDCJ—Parole Supervising Offices.~~ A Board shall coordinate the provision of Project RIO employment activities and support services with the referring TDCJ or TYC Parole Division supervising office ~~officer~~. This coordination shall ensure that the supervising office is ~~TDCJ Parole Offices are~~ made aware of the results of the initial referral for Project RIO services, as well as periodic updates on program participation status as determined appropriate for the individual.
 - (2) ~~Correctional Institutions TDCJ—Institutional Division.~~ A Board shall coordinate the provision of Project RIO employment activities and support services with ~~the TDCJ and TYC correctional institutions~~ Institutional Division by utilizing the data and resources developed by ~~the TDCJ Institutional Division Project RIO component~~ prior to the offender's or adjudicated youth's release. This coordination shall ensure that post-release Project RIO activities and services build upon and complement the services provided in the correctional institutions. ~~This coordination shall ensure that the TDCJ Institutional Division is made aware of the results of the initial referral for Project RIO services, as well as periodic updates on program participation status as determined appropriate for the individual.~~
 - (3) ~~TDCJ—State Jail Division.~~ A Board shall coordinate the provision of Project RIO employment activities and support services with the ~~TDCJ State Jail Division~~ by utilizing the data and resources developed by the ~~State Jail Project RIO component~~ prior to the offender's release. ~~This coordination shall ensure that the TDCJ State Jail Division is made aware of the results of the initial referral for Project RIO services, as well as periodic updates on program participation status as determined appropriate for the individual.~~
 - (3) Windham School District. Boards shall coordinate on an ongoing and continuing basis with Windham School District by providing labor market information related to their local workforce development area (workforce area), including current and emerging jobs, in order that Windham School

District may better meet the needs of Texas employers through education and training services. Additionally, Boards shall fully incorporate in Project RIO job seekers' Individual Employment Plans the education and training received during incarceration in order to maximize employment referrals that are directly related to that education and training.

~~(4) TYC Offices. A Board shall coordinate the provision of Project RIO employment activities and support services with the referring TYC parole and contracted parole officer. This coordination shall ensure that the TYC Offices are made aware of the results of the initial referral for Project RIO services, as well as periodic updates on program participation status as determined appropriate for the individual.~~

(4) Memoranda of Understanding. Pursuant to coordination efforts, Boards shall develop memoranda of understanding with TDCJ, TYC, and the Windham School District establishing the systems, structures, and processes for the provision of Project RIO services. The memoranda of understanding must include, but are not limited to, procedures for the following activities:

(A) Referral coordination for parolees or adjudicated youth;

(B) Progress reporting related to job seeker status and services received; and

(C) The provision of labor market information to the Windham School District.

(5) Other Partners. For the purposes of ensuring that Project RIO job seekers have the necessary support services available to them to enable successful ~~entry~~reentry into the labor force, a Board shall develop cooperative agreements and service arrangements meeting the requirements of ~~the~~ Texas Labor Code §306.007(a).

(d) Service Delivery Strategies. A Board shall develop a Project RIO Service Delivery Strategy that fully incorporates and ensures the following elements:

(1) ~~The~~ the efficient delivery and linkage of Project RIO employment activities and support services within the workforce area's One-Stop Service Delivery Network with other employment and training services funded through the Texas Workforce Centers. ~~Center, in particular WIA Adult and Youth services and, Food Stamp Employment and Training (FSE&T);~~

~~(2) the employment documents secured by the TDCJ Institutional Division, State Jail Division, or the TYC Project RIO are properly routed to the ex-offender;~~

~~(2)(3)~~ A a point of contact for TDCJ and TYC supervising offices ~~the TDCJ Parole Division and the TYC~~ to facilitate the exchange of access to information

regarding the Project RIO job seeker's progress toward securing employment and related participation information;

~~(3)~~(4) ~~The the~~ outreach of Project RIO job seekers at TDCJ ~~Parole Division~~ and TYC ~~supervising offices~~facilities;

~~(4)~~(5) ~~The the~~ participation of the One-Stop Service Delivery Network in job fairs/career days held in TDCJ and TYC ~~correctional institutions~~facilities;

~~(5)~~(6) ~~The timely and accurate reporting of data reflecting Project RIO service provision as well as the status of referrals for service~~the use of reporting and document management systems related to Project RIO participation as required by the Commission;

~~(6)~~(7) ~~All all~~ performance standards are met, as developed by the Commission, ~~are met~~; and

~~(7)~~(8) ~~The the~~ performance of any other duties, as required by the Commission, necessary to implement the intent of Texas Labor Code, Chapter 306.

(e) Access to Project RIO Employment Activities and Support Services. A Board shall ensure that the oversight and monitoring of program requirements and participant activities occur on an ongoing basis, as determined appropriate by the Board, and consist of the following:

(1) tracking and reporting, as required by the Commission, of employment activities and support services, including appropriate data relating to referrals, placements, specialized on-the-job training, and completion of training, such as GED completion, college credit and noncredit course accomplishments, or other data, as applicable;

(2) determining and arranging for any referrals to support services needed to assist the Project RIO job seeker in complying with Project RIO employment activities to address barriers to employment; and

(3) ensuring progress toward achieving the goals and objectives in the Project RIO job seeker's Individual Employment Plan, as set forth in §-847.22 of this chapter, and the job seeker Responsibility Agreement, as set forth in §847.3(i) of this section.

(f) TDCJ and TYC Notice. A Board shall ensure that notification to the supervising office~~TDCJ Parole Division~~ is made in a timely manner if a job seeker fails to comply with the job seeker Responsibility Agreement as set forth in §847.3 of this chapter.

- (g) Employer Notice. A Board shall ensure that employers are informed at the time of the employment referral of the Project RIO job seeker's status as an ex-offender and the availability of Work Opportunity Tax Credits and fidelity bonding ~~Fidelity Bonding~~ services.
- (h) Youth Confidentiality. All information regarding the adjudicated status of a youth shall be held in strict confidence and shall not be disclosed to any other entity or person. A Board shall ensure that employment referrals for adjudicated youth are made in accordance with the confidentiality requirements set forth in state statutes, state rules, and Commission policies.
- (i) Job Seeker Responsibility Agreement. Boards shall ensure that the job seeker Responsibility Agreement is signed by the Project RIO job seeker and the Texas Workforce Center ~~operator~~, or the Board's designated service provider, and contains language detailing ~~indicating~~ that the job seeker:
- (1) is ready and able to seek employment;
 - (2) will comply with all service requirements as specified ~~outlined~~ in the Individual Employment Plan;
 - (3) will report for employment interviews at the scheduled appointment time(s); and
 - (4) will notify the Texas Workforce Center ~~operator~~, or the Board's designated service provider, upon securing ~~of~~ employment.

SUBCHAPTER B. PROJECT RIO JOB SEEKER RESPONSIBILITIES

§847.11. Job Seeker Responsibilities.

Project RIO job seekers shall:

- ~~(1) complete and sign an application for food stamp benefits through the Texas Department of Human Services, unless the job seeker has a drug conviction on or after August 22, 1996;~~
- ~~(1)~~(2) sign the job seeker Responsibility Agreement;
- ~~(2)~~(3) participate in employment activities as specified in -§847.22 and as described in §847.31 of this chapter;
- ~~(3)~~(4) attend scheduled Project RIO appointments;
- ~~(4)~~(5) notify the 'Texas Workforce Center ~~operator~~, or the Board's designated service provider, upon securing employment ~~when starting work on any job;~~

~~(5)(6)~~ participate in or receive support services as described in §847.22 and §847.41 of this chapter, necessary to enable the Project RIO job seekers to work or participate in employment activities, including counseling, treatment, and vocational or physical rehabilitation;

~~(6)(7)~~ be free of outstanding warrants and not in pre-revocation status; and

~~(7)(8)~~ be drug-free and comply with other terms or conditions of parole.

§847.12. Job Seeker Failure to Comply.

Project RIO job seekers ~~referred by the TDCJ Parole Division~~, who fail to meet the requirements of the Individual Employment Plan and job seeker Responsibility Agreement, may be deemed ineligible for Project RIO employment activities and support services, and such participation status shall be reported to the TDCJ or TYC supervising office ~~Parole Division~~. Failure to comply, as determined by the Texas Workforce Center ~~operator~~, or the Board's designated service provider, includes but is not limited to:

- (1) failing to report for two scheduled interviews;
- (2) turning down a position of employment that is consistent with the skills possessed by the Project RIO job seeker;
- (3) quitting an employment activity without cause; or
- (4) being terminated from a job for misconduct.

SUBCHAPTER C. PROJECT RIO SERVICES

§847.21. Job Seeker Assessment.

- (a) A Board shall ensure that initial and ongoing assessments are performed to determine the employability and retention needs of Project RIO job seekers.
- (b) Assessments shall include evaluations of knowledge, skills, and abilities ~~strengths~~ as well as ~~and~~ potential barriers to securing and retaining employment, such as:
 - (1) information identified in the assessments provided by agency partners, which includes background information relating to education and vocational skills training obtained while incarcerated, employment history, academic achievements, and past skills attainments;
 - (2) other skills and abilities, employment, and educational history in relation to employers' workforce needs in the local labor market;
 - (3) support services needs; and

- (4) family circumstances that may affect participation, including the existence of domestic violence, substance abuse, and mental illness, or the need for parenting skills training, which, if identified, may require coordination through the parole or contracted parole ~~office~~officer, as one of the factors considered in evaluating employability.
- (c) Assessments shall result in the development of an Individual Employment Plan, as described in §847.22 of this chapter.

§847.22. Job Seeker Individual Employment Plan.

Boards shall ensure that the Individual Employment Plan:

- (1) incorporates information provided by the referring agency partner, including any individual employment planning provided while in a TDCJ or TYC correctional institution~~facility~~;
- (2) identifies and coordinates the provision of services available through the Texas Workforce Centers;
- (3) is based on assessments, as described in this chapter;
- (4) contains any prevocational goals established for Project RIO - Youth participants while in a TYC correctional institution~~facility~~;
- (5) contains employment goals to meet the needs of the local labor market;
- (6) allows Project RIO job seekers to find and secure employment that utilizes~~requires~~ their skills;
- (7) meets the needs of employers by linking and matching the skills of Project RIO job seekers to the job-skills requirements of the employers;
- (8) includes strategies for addressing barriers identified in the assessment; and
- (9) is signed by the Project RIO job seeker.

SUBCHAPTER D. PROJECT RIO EMPLOYMENT ACTIVITIES

§847.31. Employment Activities for Project RIO Job Seekers.

- (a) Boards shall ensure that employment activities are provided for Project RIO job seekers, as determined by the Texas Workforce Center ~~operator~~, or the Board's designated service provider, which may include the provision of job search and job readiness services, which incorporate the following:

- ~~(1)~~ activities set forth in 40 TAC Chapter 813 relating to FSE&T activities;
- ~~(2)~~ job search and job readiness services, which incorporate the following:
 - ~~(1)(A)~~ information and referral to employment opportunities;
 - ~~(2)(B)~~ job-skills assessment;
 - ~~(3)(C)~~ counseling;
 - ~~(4)(D)~~ occupational exploration, including information on local emerging and demand occupations;
 - ~~(5)(E)~~ interviewing skills and practice interviews;
 - ~~(6)(F)~~ assistance with applications and resumes; and
 - ~~(7)(G)~~ guidance and motivation for development of positive work behaviors necessary for the labor market.
- (b) Boards shall ensure that referrals to employment opportunities are based on the Project RIO job seeker's assessment, training, skills, and conditions of release. The referrals to jobs may be restricted to certain available employment based on:
 - (1) recommendations from the agency partners, including the applicable parole ~~office officer~~ or contracted parole ~~office officer~~;
 - (2) considerations of factors that may increase the likelihood of success of the individual in retaining employment; or
 - (3) consideration of factors that may help reduce the likelihood of recidivism.
- (c) In order to maximize the opportunities for Project RIO job seekers to secure employment, Boards shall ensure that other employment and training activities available through the One-Stop Service Delivery Network and paid for with funds other than Project RIO are considered and provided as deemed appropriate by the Texas Workforce Center ~~operator~~, or the Board's designated service provider, ~~in order to maximize the opportunities for Project RIO job seekers to secure employment.~~

SUBCHAPTER E. PROJECT RIO SUPPORT SERVICES

§847.41. Provision of Project RIO Support Services.

- (a) ~~Boards A Board~~ shall ensure that support services, which address barriers to employment, ~~or participation in employment services, and post-employment support services needs,~~ are provided to a Project RIO job seeker as determined by the ~~Boards' Board's~~ policies and Individual Employment Plans, and the Texas Workforce Centers ~~Center operator,~~ or the ~~Boards' Board's~~ designated service providers ~~provider.~~
- (b) ~~Boards A Board~~ shall ensure that referrals to support services as specified in the ~~memorandum of understanding Memorandum of Understanding~~ referenced in Texas Labor Code §306.004, §306.005, and §306.007 are made for Project RIO job seekers.
- (c) ~~Boards A Board~~ shall ensure that referrals are made, as determined appropriate by the ~~Texas' Texas~~ Workforce Centers ~~Center operator,~~ or the ~~Boards' Board's~~ designated service providers, to other available support services, including low-income housing, application for food stamp benefits, low-cost medical assistance, substance abuse treatment, counseling, vocational or physical rehabilitation, and other services.
- (d) ~~Boards A Board~~ shall ensure that hiring incentives are made available for Project RIO job seekers, to include:
- (1) Work Opportunity Tax Credits screening and conditional certification; and
 - (2) ~~fideliy bonding Fidelity Bonding~~ services, which are available through the ~~Agency Commission.~~