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TRANSCRIPT OF PROCEEDINGS
BEFORE THE
TEXAS WORKFORCE COMMISSION
AUSTIN, TEXAS

PUBLIC MEETING)
FOR THE TEXAS)
WORKFORCE COMMISSION)

COMMISSION MEETING
TUESDAY, NOVEMBER 3, 2015

BE IT REMEMBERED THAT at 9:00 a.m. on
Tuesday, the 3rd day of November, 2015, the above-entitled
matter came on for hearing at the Texas Workforce
Commission, TWC Building, 101 East 15th Street, Room 244,
Austin, Texas, before ANDRES ALCANTAR, Chairman, RONALD G.
CONGLETON and RUTH R. HUGHS, Commissioners

TABLE OF CONTENTS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PAGE

PROCEEDINGS, TUESDAY, NOVEMBER 3, 2015

AGENDA ITEM NO. 1 4
CHAIRMAN ALCANTAR

AGENDA ITEM NO. 2 4
SHERRI MILLER and DOUG CARNES

AGENDA ITEM NO. 3 4
DOUG CARNES

AGENDA ITEM NO. 4 4
SHERRI MILLER

AGENDA ITEM NO. 5 5
SHERRI MILLER

AGENDA ITEM NO. 6 5
PAUL N. JONES

AGENDA ITEM NO. 7 8
RANDY TOWNSEND

AGENDA ITEM NO. 8 10
ED SERNA

AGENDA ITEM NO. 9 10
ADAM LEONARD and DAVID JOHNSON

AGENDA ITEM NO. 10 11
DAVID JOHNSON and ADAM LEONARD

AGENDA ITEM NO. 11 14
DEBBIE CARLSON

AGENDA ITEM NO. 12 14
COURTNEY ARBOUR and REAGAN MILLER

AGENDA ITEM NO. 13 15
JASON VADEN and JOEL MULLINS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TABLE OF CONTENTS (Cont.)

PAGE

AGENDA ITEM NO. 14 19
 LEIGH PURSELL and STEVE RILEY

AGENDA ITEM NO. 15 20
 LEIGH PURSELL and CHUCK ROSS

AGENDA ITEM NO. 16 21
 PATRICIA GONZALEZ and PATRICIA MARTINEZ

AGENDA ITEM NO. 17 23
 PATRICIA GONZALEZ and PATRICIA MARTINEZ

AGENDA ITEM NO. 18 27
 PATRICIA GONZALEZ and PATRICIA MARTINEZ

AGENDA ITEM NO. 19 29
 CARRIE TUPA and ANSON GREEN

AGENDA ITEM NO. 20 30
 JOHN FULLER

AGENDA ITEM NO. 21 31
 MICHAEL BRITT

AGENDA ITEM NO. 22 32
 LARRY TEMPLE

AGENDA ITEM NO. 25 34
 ADJOURNMENT

REPORTER'S CERTIFICATE 36

1 wage claim cases listed on Docket 44.

2 AGENDA ITEM NO. 5

3 Discussion, Consideration and Possible Action
4 Regarding Higher Level Appeals in Unemployment Compensation
5 Cases Listed on the Texas Workforce Commission Docket 44.

6 The Commission considered and took action on all
7 unemployment compensation cases listed on Docket 44.

8 AGENDA ITEM NO. 6

9 CHAIRMAN ALCANTAR: We're back in session. Mr.
10 Jones, has anyone signed up for public comment?

11 MR. JONES: Good morning, Mr. Chairman,
12 Commissioners. For the record, Paul Jones, General Counsel.
13 We do have Mr. Lance Foss again today with us today --

14 CHAIRMAN ALCANTAR: All right.

15 MR. JONES: -- for public comment represent --
16 representing himself.

17 CHAIRMAN ALCANTRA: Thank you, Mr. Jones. Good
18 morning, Mr. Foss. If you could state your name for the
19 record and limit your comments to three minutes, thank you.

20 MR. FOSS: Thank you. Lance Foss, 1409 Oday Road,
21 Pearland -- Number 57, Pearland, Texas. And this isn't my
22 main topic, but this is an allegory I've presented to
23 several others. Imagine this hypothetical, Commissioner
24 Alancar (sic), you have \$100 that's yours, and Mr. --
25 Commissioner Congleton and Commissioner Hughs don't have a

1 job, and you won't employ them and nothing they can make
2 or do will move you enough to -- to provide them any money.
3 They don't have any land. How do they live? So I offer
4 that as a question.

5 I'm introducing today a brick and mortar human
6 resource recruitment and management process for USA
7 citizens. I developed a video for that. And I'll explain
8 it further. And I e-mailed that to I suppose the office and
9 -- and you, Commissioners, directly. And I've talked to
10 some others at the state level about that. The you -- the
11 human -- and I'll have to go quickly -- the human resource
12 process as it -- as it is today is computer and keyboard or
13 keyword recruiting -- computer and keyword recruiting. And
14 mana -- and employees are managed as objects. So this
15 process favors international workers. The process favors
16 overly specialized pigeonholed United States workers for
17 about 10 years, and then it's all over.

18 For the last 30 years, there's no bias towards
19 reliable sustaining USA citizen employment. Millions are
20 unemployed, millions are underemployed. All workers are
21 temporary and have no control. They should be and many are
22 frightened.

23 There's no basis for a sense of place, belonging,
24 security, and this is unnatural. And this manifests itself
25 in many, many of our social problems: crime, addiction,

1 family break ups, divorce, I can go on easily and for a long
2 time. Individuals do not have anything to gain --
3 individuals cannot realistically do anything to gain a
4 lifetime of needed employment. Business daily profit motive
5 -- motive does not sustain employees and consumers won't and
6 can't pay for consumer goods. Individuals, families,
7 communities, cities, states, and countries are unhealthy.
8 And this isn't really my opinion.

9 The brick and mortar -- and I won't be able to
10 finish, but I'll describe the model, and then I'll describe
11 how -- what's already in a video and -- and provided
12 otherwise but in a public setting how we address these
13 issues. But what this brick and mortar process does really
14 is Unite -- United States citizen living arrangements
15 unmistakably reflect certain real values, constraints,
16 abilities, preferences, assets, commitments,
17 responsibilities, and options.

18 CHAIRMAN ALCANTAR: Mr. Foss, that's three
19 minutes. I'll give you a minute to wrap up.

20 MR. FOSS: I'll need less than that but thank
21 you.

22 Neighbors, communities, cities, and so on,
23 sensible governments, sensible employers have a vested
24 interest in long term and possible life con -- long
25 contributions of residence. Living arrangements are thing -

1 - are such as home ownership, lease, month -- month rent,
2 and hotel type realities and/or preferences. Thank you.

3 CHAIRMAN ALCANTAR: Thank you, Mr. Foss.

4 AGENDA ITEM NO. 7

5 CHAIRMAN ALCANTAR: Item 7. Discussion,
6 Consideration and Possible Action Regarding Estimated
7 Unemployment Trust Fund Balance Pursuant to Texas Labor Code
8 Section 204.061 and the Estimated ETI Holding Fund Balance,
9 Randy Townsend. Morning, Randy.

10 MR. TOWNSEND: Good morning, Chairman,
11 Commissioners. For the record Randy Townsend, Chief
12 Financial Officer. Commissioners, for -- we're presenting
13 this morning the financial status for the Unemployment Trust
14 Fund, this is an estimate I produced for next October 1st,
15 2016. Looking at the -- at the current balance, we started
16 the year with just under 1.7 billion in the Trust Fund. We
17 estimate that we will collect about 2.3 billion adding to
18 the -- to the balance. And then there will be some interest
19 earned on the balance throughout the year, some estimated 32
20 million.

21 When you deduct what we estimate the current
22 payout will be over the next year, estimated to be just over
23 2.6 billion, we estimate the Trust Fund cash balance next
24 October 1st will be 1,451,000,000. When you take into
25 account the outstanding bonds that are -- that are owed

1 on -- on our unemployment bonds, that will bring the net
2 position down to just over 1.2 billion. That net position
3 will be above the floor is our estimate at this point based
4 on all the information we have.

5 I also wanted to share with you, before I get to
6 the trends, I wanted to share with you the Employment and
7 Training Investment Assessment, the ETI Holding Fund
8 information. This is Fund 5128. The beginning balance this
9 year we're estimating is 82.8 million. That takes into
10 account the transfers that occurred this past September into
11 the -- for the Skills Development program, as well as the
12 transfer that will occur next September, since we're above
13 the floor, we're making that transfer effective for the
14 biennium as allowed by statute.

15 Once you take into account what we estimate the
16 collections will be for the -- for the ETIA, the balance
17 will -- that'll be about 109 million we think. That would
18 put the ending balance in the Holding Fund next August at
19 192 million.

20 If I could this morning, I'll wrap up by sharing
21 the trends we have for the Unemployment Trust Fund. For the
22 last six weeks ending October 17th the benefits paid
23 averaged just over 51 million per week. That was up about
24 39 percent over the six week ago -- six-week average a year
25 ago. Initial claims averaged 15,288. Again, that's six

1 weeks ending October 17th. That's up about 14 percent over
2 the year ago six-week average. And finally, continued
3 claims averaged 154,595 for the six weeks ending October
4 17th and that continued claims number is up about 24 percent
5 over the one year ago six-week average.

6 Commissioners, that concludes my presentation this
7 morning. If you have questions or comments?

8 CHAIRMAN ALCANTAR: Commissioners, do we have any
9 questions?

10 COMM. CONGLETON: Thank you, Randy.

11 CHAIRMAN ALCANTAR: Appreciate it, Randy.

12 MR. TOWNSEND: Thank you.

13 CHAIRMAN ALCANTAR: Have a good day.

14 AGENDA ITEM NO. 8

15 CHAIRMAN ALCANTAR: Item 8. Discussion,
16 Consideration and Possible Action Regarding the Appointment
17 of Members to the Texas Advisory Committee for Purchasing
18 from People with Disabilities, Ed.

19 MR. SERNA: Nothing.

20 CHAIRMAN ALCANTAR: We have no update.

21 AGENDA ITEM NO. 9

22 CHAIRMAN ALCANTAR: Item 9. Discussion,
23 Consideration and Possible Action Regarding Board Contract
24 Year 2015 Targets, Adam. We have no update on that one.

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AGENDA ITEM NO. 10

CHAIRMAN ALCANTAR: Item 10. Discussion, Consideration, Possible Action Regarding Board Contract Year 2016 Incentive Awards, Adam Leonard. Good morning, Adam.

MR. LEONARD: Good morning, Commissioners. As you know each year we -- under Rule 802.166 we select criteria to be used to set awards out for the Boards to try to achieve. And we give those awards out at the annual conference. So today what I'm here to do is to discuss some recommendations regarding what criteria might be used for the awards to be issued next fall in '17.

For the most part, as you know, this is really a transition year for the Workforce system as we kind of move from an old set of measures and old processes pre-WIOA into WIOA, which we won't actually have those in place until sometime next year, and so what we were looking at here was generally some recommendations for stability within these categories and within the awards. But we did have a couple of changes that we would -- wanted to throw on the table and see if you'd like to consider.

One had to do with claimant reemployment. And that is moving to a -- from two stages where one is based on performance and one is based on a change in performance to two stages where one is based on performance as a percent of target and then looking at claimant reemployment within 10

1 weeks wage replacement. So those people were are able to
2 get reemployed within 10 weeks, how strong are we able to
3 get towards their wage replacement. And you know that we've
4 been running that for about a year and the numbers have
5 looked fairly good Board from Board. And in fact, the wage
6 replacement rate tends to be slightly higher for those
7 reemployed within 10 weeks than those reemployed after 10
8 weeks.

9 And the other change had to do with flipping the
10 waiting within the Choices Full Work Rate category so that
11 instead of it being 45, 55 in favor of performance verse
12 change in performance flipping, it's 55 for performance and
13 45 percent for the change in performance. And part of that
14 is because we're seeing so many Boards now achieving at a
15 high level that the category was really set up and becoming
16 set up in such a way that Boards who had been kind of more
17 middle of the pack had a better opportunity to win.

18 So I'm happy to answer any questions you may have
19 about the recommendations and get your thoughts as we go
20 forward.

21 CHAIRMAN ALCANTAR: Adam, I think this is good
22 work. I -- I have no questions. But Commissioners, as you
23 all know, we have a new member. And we have an opportunity
24 here in a couple of weeks when we visit with TAB and the EDs
25 to get some of their thoughts on whether or not we are --

1 have the right mix in terms of awards categories. We'll be
2 making awards at the end of this month for performance.

3 And what I'd like to do is hold off on approving
4 this Item and bring it back in a few weeks, and to give each
5 of you time to reassess, look at these. I'd like to do that
6 myself, and make sure that we have the appropriate focus,
7 that these awards and recognition align with the future
8 direction that we want to focus our Boards moving forward.
9 And for that, I would ask that we defer approving this Item
10 unt -- for a few weeks.

11 MR. TOWNSEND: Certainly, if that's your
12 preference.

13 CHAIRMAN ALCANTAR: And that doesn't really limit
14 us in terms of the timelines for getting information out to
15 the Boards. It'll just reinforce our partnership with them
16 and listening to them in a few weeks relative to their ideas
17 on -- on the -- on the mix of categories that we have in
18 place.

19 MR. TOWNSEND: Absolutely. We'll be happy to
20 participate, hear what -- what their input and yours is, and
21 come back to you with some recommendations later.

22 CHAIRMAN ALCANTAR: All right. And -- and in
23 particular, we -- I think having a particular focus on some
24 childcare metrics that -- or categories that we might want
25 to consider would be an area I'm particularly interested in.

1 MR. TOWNSEND: Okay.

2 CHAIRMAN ALCANTAR: Commissioners?

3 COMM. HUGHS: Okay.

4 CHAIRMAN ALCANTAR: All right and thank you.

5 AGENDA ITEM NO. 11

6 CHAIRMAN ALCANTAR: Item 11. Discussion,
7 Consideration and Possible Action Regarding Implementation
8 of WIOA. We have no update there.

9 AGENDA ITEM NO. 12

10 CHAIRMAN ALCANTAR: 12. Discussion, Consideration
11 and Possible Action Regarding the Acceptance of Pledges for
12 Board Contract Year 2016 Child Care Matching Funds.
13 Courtney, good morning.

14 MS. ARBOUR: Good morning. Courtney Arbour,
15 Workforce Division. Annually local Workforce Development
16 Boards submit local match pledges to secure federal child
17 care funds pursuant to Commission Rule 800.73. This will be
18 a standing Item as Boards can continue to submit Match
19 Agreements through January 31st of 2016. Today's staff
20 request Commission acceptance of child care pledges for
21 donations, transfers, and certifications of expense in the
22 amount of \$5,402,441.

23 CHAIRMAN ALCANTAR: Commissioner Congleton?

24 COMM. CONGLETON: Move that we accept the pledges
25 for Board Contract Year 2016 in the amount of \$5,402,441.

1 COMM. HUGHS: I second the motion.

2 CHAIRMAN ALCANTAR: It's unanimous. Thank you,
3 Courtney.

4 MS. ARBOUR: Thank you.

5 AGENDA ITEM NO. 13

6 CHAIRMAN ALCANTAR: Item 13. Discussion,
7 Consideration and Possible Action Regarding the Combined
8 State Plan for WIOA for Program Years 2016-2020, Including
9 Core Programs, Joel Mullins. Good morning. How are you,
10 Sir?

11 MR. MULLINS: Morning, Chairman, Commissioners,
12 Mr. Temple. For the record I'm Joel Mullins with Workforce
13 Development. For your consideration this morning, we have a
14 draft of the Combined State Plan for the Workforce
15 Innovation and Opportunity Act for -- covering program years
16 2016-2020. The plan covers all core programs including WIOA
17 adult, dislocated worker and youth, Wagner-Peyser Employment
18 Service, Adult Education and Literacy and Vocational
19 Rehabilitation, as well as two partner programs, the Senior
20 Community Service Employment Program and Wagner-Peyser
21 Agricultural Outreach.

22 The plan is divided into a strategic section, an
23 operational section and a set of appendices. The strategic
24 section describes the vision, mission and goals for the
25 State's Workforce Development System and outlines its

1 four-year strategy for the implementation of integrated
2 Workforce Development programs. The operational section
3 includes responses to detailed operational questions
4 regarding State structure, funding, target populations,
5 service delivery efforts, and program activities and their
6 assessment.

7 Included in the appendices, we have our waiver
8 requests, the plan for Adult Education and Literacy, and two
9 plans for Vocational Rehabilitation. One of these covers
10 the services to -- to blind individuals with, you know,
11 sight impairment. And the other covers services to --
12 general rehabilitation services. These two plans were
13 developed by staff from the Department of Assistive and
14 Rehabilitative Services.

15 And TWC staff would like to on the record just
16 recognize the contribution of DARS staff throughout this
17 process. We worked with them from the very beginning,
18 talking just strategically about what we wanted this whole
19 plan to look like and their -- and we've shared, you know,
20 content, drafts of content, back and forth throughout the
21 process. And their collaboration and partnership has been a
22 great help and greatly appreciated.

23 Also included in the appendices, we have plans for
24 the two partner programs that we're including in this
25 Combined State Plan. One of these, the Senior Community

1 Service Employment Program, provides training and employment
2 services to low-income job seekers age 55 and older to
3 assist them in securing unsubsidized employment. Program
4 participants earn while they learn gaining competitive job
5 skills and refining existing skills through paid, part-time,
6 on-the-job, training assignments.

7 The other is the Agricultural Outreach Plan. This
8 plan sets out the State's strategy to ensure that migrant
9 and seasonal farm works are offered the full range of
10 employment services and benefits and protections as other
11 workers, including job matching and referral services, job
12 training, with the ultimate goal of enhancing the MSFW
13 population's employability.

14 So staff is seeking approval to post for a public
15 comment period the Combined State Plan for the Workforce
16 Innovation and Opportunity Act for program years 2016-2020,
17 as I've described here today. And I'll be happy to answer
18 any questions.

19 CHAIRMAN ALCANTAR: Joel, I -- I really thank you
20 and the team for the hard work in putting this together. I
21 also would ask you that for the record to overview the
22 public input that we -- that we made available, or the --
23 our efforts to secure public input for the development of
24 this plan. You want to go over that again for us?

25 MR. MULLINS: We did -- we did seven stakeholder

1 meetings throughout the State during the months of -- I
2 guess maybe they started in late July, went through August,
3 and -- and a couple in September. These were -- were joint
4 stakeholder meetings. They -- we gave an opportunity for
5 the public to comment on -- on both the development of this
6 plan and the transition of the VR services to -- to TWC. I
7 don't think we received much of -- of, if any, comment on
8 the development of the plan.

9 CHAIRMAN ALCANTAR: Well, I certainly appr -- also
10 want to thank DARS for their efforts and their feedback and
11 certainly the -- the work here reflects much of that input.
12 I also want to thank you for highlighting the senior and
13 migrant and seasonal farm worker program. I think those are
14 equally important programs and with some of the issues that
15 our seniors are facing out there really appreciate your --
16 your -- your thoughts here.

17 MR. MULLINS: Yep.

18 CHAIRMAN ALCANTAR: Commissioner Congleton?

19 COMM. CONGLETON: I have no questions. I move
20 that we approve the WIOA 2016-2020 Combination State Plan
21 and post it for public comment.

22 COMM. HUGHS: And I echo the sentiments, and
23 second the vote.

24 CHAIRMAN ALCANTAR: We are unanimous. Thank you.

25 MR. MULLINS: All right. Thank you.

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AGENDA ITEM NO. 14

CHAIRMAN ALCANTAR: Item 14. Discussion, Consideration and Possible Action Regarding Computation of Calendar Year 2016 Unemployment Obligation Assessment Pursuant to the Texas Labor Code. Good morning.

MS. PURSELL: Good morning, Chairman and Commissioners. For the record I'm Leigh Pursell, UI Division. Today for your consideration, staff is bringing forward their proposed obligation assessment percentage component needed to meet our targeted collection amount for the bond obligation due in 2016.

Section 203.105 of the Texas Labor Code provides that if the Commission elects to borrow funds through the issuance of bonds, the Commission must collect an Obligation Assessment to pay bond debt service each year. The bond debt service due in 2016 will be \$332.5 million as determined by the Texas Public Finance Authority.

Commission Rule 815.132 states that excess funds in the Obligation Assessment Trust Fund may be used in calculating the Obligation Assessment if the funds are not anticipated to be used for the purposes set out in the Texas Labor Code. The Chief Financial Officer finds that \$5.8 million in excess funds is available to be used in calculating the Obligation Assessment.

Commission Rule 815.132 establishes a formula for

1 calculating the Obligation Assessment including the
2 percentage component. Staff has determined that a
3 percentage component of 100 percent and an Obligation
4 Assessment ratio of .17 are needed to ensure adequate
5 revenue during 2016 to cover the \$332.5 million bond debt
6 service.

7 We ask for your favorable decision to move forward
8 with this percentage component in calculating 2016 tax rates
9 and publishing the Obligation Assessment Resolution in the
10 *Texas Register*. And I'll be happy to answer any questions
11 you may have.

12 CHAIRMAN ALCANTAR: Commissioner Hughs?

13 COMM. HUGHS: No.

14 CHAIRMAN ALCANTAR: Commi -- Commissioner
15 Congleton?

16 COMM. CONGLETON: In accordance with Chapter 203
17 of the Texas Labor Code, I move that we set the Obligation
18 Assessment ratio at 0.17 and the percentage at 100 percent
19 and in order to generate funds at least 1.5 times the debt
20 service amount on the bonds.

21 COMM. HUGHS: And I second that motion.

22 CHAIRMAN ALCANTAR: It is unanimous. Thank you.

23 MS. PURSELL: Thank you.

24 AGENDA ITEM NO. 15

25 CHAIRMAN ALCANTAR: Item 15. Discussion,

1 Consideration and Possible Action Regarding Publication for
2 Public Comment Proposed Rules Relating to Unemployment
3 Insurance Tax, 40 T.A.C. Chapter 815. We have an update on
4 that?

5 MS. PURSELL: No.

6 CHAIRMAN ALCANTAR: Okay. We do not.

7 AGENDA ITEM NO. 16

8 CHAIRMAN ALCANTAR: Item 16. Discussion,
9 Consideration and Possible Action Regarding Public --
10 Publication for Public Comment Proposed Rules Relating to
11 the Regular Review of the Texans Rising Star Program as
12 Required under the Texas Government Code, Patricia Gonzalez.
13 Good morning, Patricia.

14 MS. GONZALEZ: Good morning, Chairman,
15 Commissioners, Mr. Temple. For the record, Patricia
16 Gonzalez, Workforce Development. For your consideration
17 today are proposed rules for Chapter 809, Child Care
18 Services.

19 Senate Bill 208 requires that the Commission adopt
20 changes to the child care services rules related to the
21 Texas Rising Star Program to include a timeline and process
22 for regular review and updating the quality standards used
23 to determine the rating system that includes the
24 Commission's consideration of input from interested parties
25 regarding those standards.

1 A policy concept proposing rule changes to Chapter
2 809 addressing regular review of the TRS Program was
3 approved by the Commission on August the 18th of this year
4 and provided to Workforce Development Boards for
5 consideration and review. The proposed rule amendments to
6 Chapter 809 requires that the Commission review and update
7 the TRS guidelines at a minimum of every four years in
8 conjunction with a rule review of Chapter 809, that the
9 review and update consider input from stakeholders, and that
10 at least one public hearing is held.

11 Section 809.130 is also amended to state that the
12 Commission may review and amend the TRS guidelines as
13 necessary provided that the amendments are adopted subject
14 to the requirements of the Texas Open Meetings Act. Offices
15 were briefed on proposed rules including comments received
16 from the Boards. If approved, the proposed rules would be
17 published in the *Texas Register* for a 30-day public comment
18 period.

19 This concludes my presentation. And I'm happy to
20 answer questions, if any.

21 CHAIRMAN ALCANTAR: Any questions? Commissioner
22 Congleton?

23 COMM. CONGLETON: No questions. Move that we
24 approve and publish the public comment discussed amendments
25 to our Chapter 809 rules to establish a regular review of

1 the Texas Rising Star guidelines.

2 COMM. HUGHS: I second the motion.

3 CHAIRMAN ALCANTAR: It is unanimous.

4 AGENDA ITEM NO. 17

5 CHAIRMAN ALCANTAR: Item 17. Discussion,
6 Consideration and Possible Action Regarding a Discussion
7 Paper on Texas Rising Star Guideline Revisions, Patricia.

8 MS. GONZALEZ: Again, Patricia Gonzales, Workforce
9 Development. For your consideration today is a discussion
10 paper on revisions to the Texas Rising Star Program relating
11 to the application process for nationally accredited and
12 non-accredited providers and curriculum training. The
13 offices were briefed in detail on the following
14 recommendations. The staff is recommending --

15 CHAIRMAN ALCANTAR: Patricia, before you get into
16 that cer -- I guess, as context, we've heard from providers.

17 MS. GONZALEZ: Yes, Sir.

18 CHAIRMAN ALCANTAR: We heard from the -- their
19 public comments. They visited. We had a public hearing in
20 Houston. We've worked through our quality assurance network
21 and with our boards to try to respond to some of the issues
22 that were raised in front of us. And this is the first
23 response to that.

24 We're going to continue to listen. We're going to
25 have some more public hearings in December. We're going to

1 be meeting with our Boards at the end of the month. As a
2 part of the hearings that we scheduled in December, we're
3 going to have not only the public meetings, but we're going
4 to have a couple of focus-type of discussions with providers
5 and other stakeholders after a couple of those meetings.

6 So I really want to thank staff for their thoughts
7 that they're about to lay out. So Patricia, if you could go
8 forward with those.

9 MS. GONZALEZ: Thank you, Sir. And that is
10 correct. These are direct responses to our listening
11 sessions with providers and with Boards.

12 Recommendations are streamlining the application
13 process for providers recognized by the Department of
14 Defense, eliminating the need for accredited providers to
15 conduct a self-assessment, adding three new nationally
16 accredited organizations to the list of Department of
17 Defense Texas Rising Star recognized organizations initially
18 certified as four-star providers. These organizations are
19 the National Early Childhood Program Accreditation, the
20 National Accreditation Commission, and the Council on
21 Accreditation.

22 Another recommendation is enhancing the TRS
23 application process for non-nationally accredited providers
24 by streamlining the application and self-assessment
25 including an online process. And in addition to developing

1 a series of online webinars to provide curriculum and lesson
2 plan development training to child care providers, TRS
3 assessors, and TRS mentors, staff will explore other options
4 to allow providers an opportunity to increase the minimum
5 requirements for curriculum criteria.

6 This concludes my presentation. And I'm happy to
7 answer questions, if any.

8 CHAIRMAN ALCANTAR: So on issue 2 in terms of the
9 application process for nationally accredited providers,
10 we're specifically streamlining this by removing the
11 requirement that they self-assess. Could you lay -- detail
12 that?

13 MS. GONZALEZ: Yes, Sir. Nationally accredited
14 providers are subject to a comprehensive review respected by
15 their accrediting bodies. And so because that is already a
16 part of the process, we don't need to layer an additional
17 process on top of that, so it will not be required to them
18 to conduct a full self-assessment of each of the classes for
19 TRS.

20 CHAIRMAN ALCANTAR: So -- so they won't have to do
21 the facility or the classroom self-assessments. They'll
22 still have to do the TRS application, go through FPS
23 licensing, and --

24 MS. GONZALEZ: Yes, Sir. The minimum orientation
25 online is like a 10-minute video, the one-page application,

1 and the one-page licensing screening. That's correct.

2 CHAIRMAN ALCANTAR: And in your review of -- one
3 of -- so that addresses some of the time intensive
4 requirements. You're also going to be making that to the
5 extent that it is required in terms of this self -- self-
6 assessment looking at making some of -- proving an online
7 type of applica -- assessment process in addition to the
8 paper one that is currently available.

9 MS. GONZALEZ: That's correct. That's correct.

10 CHAIRMAN ALCANTAR: And -- and further, you know,
11 we also heard from providers about some of the curriculum
12 challenges and -- and your third recommendation in terms of
13 the training and partnering -- creating these partnerships
14 are meant to address that by helping them define and make
15 available to them some libraries and proving some webinars.
16 And what in addition to that do we want to highlight?

17 MS. GONZALEZ: In addition to proving training,
18 we're looking at curriculum that's either off the shelf or
19 the existing templates that have been provided as technical
20 assistance for providers to ensure that there's an easy
21 translation from what they do on a daily basis to what can
22 be actually implemented through these curriculum devices.

23 CHAIRMAN ALCANTAR: Okay, great. Commissioners,
24 do you have any questions?

25 COMM. HUGHS: No, thank you.

1 MS. GONZALEZ: Thank you.

2 CHAIRMAN ALCANTAR: Commissioner Congleton?

3 COMM. CONGLETON: Move that we update program
4 guidelines for the Texas Rising Star Program as discussed,
5 streamline the application process and work with our
6 partners on curriculum training.

7 COMM. HUGHS: I second the motion.

8 CHAIRMAN ALCANTAR: It is unanimous. Thank you,
9 Patricia.

10 MS. GONZALEZ: Thank you, Sir.

11 AGENDA ITEM NO. 18

12 CHAIRMAN ALCANTAR: Item 18. Discussion,
13 Consideration and Possible Action Regarding a Discussion
14 Paper Regarding Stakeholdered Input -- Stakeholder Input on
15 Subsidized Child Care Program, Patricia Gonzalez.

16 MS. GONZALEZ: Again, Patricia Gonzalez, Workforce
17 Development. For your consideration today is a discussion
18 paper on stakeholder input on the Child Care Program.

19 Senate Bill 208 requires that the Texas Workforce
20 Commission develop a policy for obtaining through
21 appropriate methods input from interested parties regarding
22 its subsidized Child Care Program and for using that input
23 in administering the program.

24 Senate Bill 208 also requires that TWC adopt such
25 a policy no later than September 1, 2016. In order to

1 implement this requirement, staff recommends the following.
2 That staff continue to conduct meetings with state agencies
3 involved in child care and early education. State agency
4 partners include the Texas Department of Family and
5 Protective Services, the Texas Education Agency, the Head
6 Start State Collaboration Office, and the Texas Early
7 Childhood Professional Development System.

8 Staff also recommends -- recommends continuing to
9 participate in the Child Care network meetings comprised of
10 members from each of the 28 local Workforce Development
11 Boards.

12 And that state and -- that Commission conduct
13 public meetings each biennium to solicit input from
14 stakeholders and the general public on delivery of
15 subsidized child care services, alignment of early education
16 programs, quality initiatives and standards including Texas
17 Rising Star and other topics central to early childhood
18 education. Four such meeting -- meetings are scheduled for
19 this biennium.

20 This concludes my presentation and I will answer
21 questions, if any.

22 CHAIRMAN ALCANTAR: Any questions? Commissioner
23 Congleton?

24 COMM. CONGLETON: Move that we adopt these
25 recommendations for stakeholder and public input for our

1 child care program.

2 COMM. HUGHS: I second the motion.

3 CHAIRMAN ALCANTAR: It is unanimous. Thank you.

4 AGENDA ITEM NO. 19

5 CHAIRMAN ALCANTAR: ITEM 19. Discussion,
6 Consideration and Possible Action Regarding the Policy
7 Concepts for Adult Education Literacy Program Related to
8 Allocations and Staff Qualifications, Carrie. Good morning,
9 Carrie.

10 MS. TUPA: Good morning, Chairman, Commissioners.
11 For the record Carrie Tupa, Adult Education and Literacy.
12 Today staff bring before you two policy concepts for
13 proposed modifications to Adult Education and Literacy
14 rules.

15 The first, a policy concept for Chapter 800
16 General Administration, contains the proposed addition of a
17 stop-gain provision for Adult Education and Literacy
18 allocation procedures. The stop-gain provision would ensure
19 that a relative proportion of an allocation to a workforce
20 area is not above 125 percent of the prior two-year relative
21 proportion.

22 The second policy concept we bring before you for
23 consideration is for Chapter 805 Adult Education and
24 Literacy, Subchapter B, Section 21, which deals with staff
25 qualifications. The current rules were largely carried over

1 with some modifications from the Texas Education Code with
2 the transition of the Adult Education and Literacy Program
3 and were developed for an adult education system that
4 largely operated as an independent non-integrated program.

5 Recommendations for modifications to this section
6 include those that would support an integrated system with
7 full participation of boards, colleges, and volunteers,
8 rather than a one-size-fits-all approach to staff
9 development and qualifications. We are seeking your
10 approval of these policy concepts today. And I'll be happy
11 to answer any questions.

12 CHAIRMAN ALCANTAR: Commissioners, I wanted Carrie
13 to lay this out this morning. But we're about to go into
14 our work session where we're going to be talking about the
15 program. And I'd like to also defer -- to defer action on
16 this Item pending our discussion on the overall program and
17 other issues related to these two recommendations.

18 MS. TUPA: Okay. Okay.

19 CHAIRMAN ALCANTAR: Thank you.

20 MS. TUPA: Thank you.

21 AGENDA ITEM NO. 20

22 CHAIRMAN ALCANTAR: Item 20. Discussion,
23 Consideration and Possible Action Regarding Approval of
24 Local Board Nominees, John Fuller. Morning, John.

25 MR. FULLER: Good morning, Mr. Chairman,

1 Commissioners, Mr. Temple. For the record I'm John Fuller,
2 Workforce Development Division.

3 Commissioners, before you today, you have
4 nominations from East Texas, Heart of Texas, North Central,
5 and Texoma for your consideration and possible approval.

6 CHAIRMAN ALCANTAR: Commissioner Congleton?

7 COMM. CONGLETON: Move that we approve the Board
8 nominees from East Texas, Heart of Texas, North Central, and
9 Texoma.

10 COMM. HUGHS: I second the motion.

11 CHAIRMAN ALCANTAR: It is unanimous. Thank you,
12 John.

13 MR. FULLER: Thank you.

14 AGENDA ITEM NO. 21

15 CHAIRMAN ALCANTAR: Item 21. Discussion,
16 Consideration and Possible Action Regarding Enacted or
17 Proposed State or Federal Legislation, Michael. Good
18 morning, Michael.

19 MR. BRITT: Good morning, Mr. Chairman and
20 Commissioners. For the record Michael Britt, Governmental
21 Relations. Last Thursday the U.S. House of Representatives
22 elected Representative Paul Ryan of Wisconsin as Speaker of
23 the House. Speaker Ryan succeeds John Boehner who resigned
24 as Speak of the House and retired from Congress last week.

25 Also, yesterday the President signed HR 1314,

1 which is the *Bipartisan Budget Act*, into law. This -- the
2 measure was passed by Congress last week and suspends the
3 debt ceiling until March 16th of 2017 and also raises --
4 raises budgetary caps for defense and non-defense spending
5 by 25 billion in FY 2016 and 15 billion in FY 2017.

6 This concludes my remarks. I'll be happy to
7 answer any questions you may have.

8 CHAIRMAN ALCANTAR: Any questions? Thank you,
9 Michael.

10 MR. BRITT: Thank you.

11 AGENDA ITEM NO. 22

12 CHAIRMAN ALCANTAR: Item 22. Report and Update by
13 the Executive Director. Larry, what do you have for us this
14 morning?

15 MR. TEMPLE: Just a quick -- the NASWA will be
16 having a combined employment training and LMI Committee
17 meeting Wednesday through Friday down in San Antonio. We'll
18 have Workforce people, Jason Vaden and some other people in
19 Workforce, as well as our LMI staff, Doyle -- you're going
20 to be there, right?

21 MR. FUCHS: Yes.

22 MR. TEMPLE: Yeah.

23 CHAIRMAN ALCANTAR: Great.

24 MR. TEMPLE: There's a much more involved role
25 with LMI now and the WIOA program and so this primarily the

1 kickoff about that and see how states are doing it and have
2 some of the feds coming down talking. So they'll be at the
3 -- I forgot what hotel now -- The Menger, that's right -- at
4 The Menger so if you're in the neighborhood drop by, they
5 would love to have you.

6 CHAIRMAN ALCANTAR: I'm staying away from that
7 hotel, there's ghosts there.

8 MR. TEMPLE: The ghost, yeah. The ghost hotel.
9 Other than that, we'll let you know what comes about. There
10 -- there's some -- there's a committee actually created
11 under WIOA specifically for this LMI information.

12 CHAIRMAN ALCANTAR: Okay. By the way though, it's
13 a beautiful hotel, great hospitality, great rooms, and --

14 (Laughter)

15 MR. TEMPLE: I think --

16 CHAIRMAN ALCANTAR: -- it's all personal here.

17 MR. TEMPLE: I think his attorneys were nodding at
18 him back here.

19 CHAIRMAN ALCANTAR: That's right.

20 MR. TEMPLE: The ghosts were only in the bar,
21 right?

22 CHAIRMAN ALCANTAR: Yeah. Wish they'd stayed
23 there. All right. Is that all, Larry?

24 MR. TEMPLE: That's it.

25 CHAIRMAN ALCANTAR: Any questions, Commissioners?

1 COMM. HUGHS: No.

2 CHAIRMAN ALCANTAR: Thank you.

3 COMM. HUGHS: Thank you.

4 CHAIRMAN ALCANTAR: The Commissioners will be
5 going in to Executive Session pursuant to Government Code
6 551.0711 to discuss pending litigation of John Benavides, et
7 al v. TWC-CRD. Thank you, have a good day.

8 (Off record)

9 AGENDA ITEM NO. 25

10 CHAIRMAN ALCANTAR: Back in session. Do we have a
11 motion to adjourn?

12 COMM. CONGLETON: So made.

13 UNIDENTIFIED SPEAKER: What -- can I ask --

14 UNIDENTIFIED SPEAKER: If you're looking to come
15 back for action on adult ed --

16 UNIDENTIFIED SPEAKER: Right, would that be today
17 in the Work Session? I'm just --

18 UNIDENTIFIED SPEAKER: Oh, yeah, that session.
19 Let's go back because you deferred it. Yeah, so --

20 CHAIRMAN ALCANTAR: Okay, so we're going to take a
21 break. We're back in session. We're going to break for
22 five minutes and we'll be --

23 MR. TEMPLE: Break for five minutes.

24 CHAIRMAN ALCANTAR: Okay.

25 (Off record)

1 CHAIRMAN ALCANTAR: Great, we -- we're back in
2 session.

3 MR. TEMPLE: Hey, Bob.

4 CHAIRMAN ALCANTAR: We're going to take a break
5 for five minutes and reconvene at 10:30. That'll be eight
6 minutes actually. So we'll -- for the work -- for the Adult
7 Education and Literacy Work Session. Thank you.

8 (Proceedings concluded at 10:25 a.m.)

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C E R T I F I C A T E

STATE OF TEXAS)

COUNTY OF TRAVIS)

I, Kimberly C. McCright, Certified Vendor and Notary in and for the State of Texas, do hereby certify that the above-mentioned matter occurred as hereinbefore set out.

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 10th day of November, 2015.

Kimberly C. McCright
Certified Vendor and Notary Public

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