**Introduction**

TWC executes a fee-for-service contract with Boards to deliver Summer Earn and Learn (SEAL) services to students with disabilities. Boards are paid established fees based on completion of the program deliverables as specified in Section 1.7.8 SEAL Services Payment Structure. The fees are intended to pay for service deliverables, including materials and supplies. This chapter describes the contract statement of work and associated deliverables and requirements. Board subcontractors who provide services for the SEAL program must meet the same requirements and level of experience as required of the Board. The Board and Contractor staff that provide SEAL services must comply with the requirements in the following sections.

**1.1 Overview of SEAL Program**

The SEAL program establishes a mechanism by which pre-employment transition services (Pre-ETS) are provided to students with disabilities, as required under Title IV of the Workforce Innovation and Opportunity Act (WIOA), which modified the Rehabilitation Act of 1973 (Rehabilitation Act).

SEAL provides the following to students with disabilities:

* pre-employment work readiness training and preparation for the work experience placement;
* work experience to gain familiarity with the workplace environment and develop transferable job skills; and
* paid compensation for time worked on the job.

**1.2 Objective of SEAL Program**

SEAL’s objective is to increase work-based learning opportunities for students with disabilities through Texas' integrated workforce system, thereby providing VR participants with foundational employment skills and better preparing them for successful transition to postsecondary education and employment.

**1.3 Scope of SEAL Program**

SEAL provides workplace readiness training, work experience, and transferable skill learning opportunities to students with disabilities while they earn compensation for working.

1.3.1 SEAL Targets

Each Board area is assigned a [target number](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-board-targets-twc.pdf) based on unique variables including population and historical performance data. These numbers are representative of the targeted number of VR Participants to be placed on a worksite.

**1.4 SEAL Preparation**

**1.4.1 SEAL Planning**

Before SEAL services are provided to VR participants, the Board must:

* identify points of contact to ensure orderly coordination and communication between the Board and VR staff;
* identify participating employers and develop worksites;
* coordinate with VR contacts to conduct outreach and recruitment; and
* develop local processes and strategies to support and facilitate ongoing coordination and communication between the Board, its subcontractors, VR staff, schools, parents, and students.

All SEAL planning activities must be documented and sent to [APPO@twc.texas.gov](mailto:APPO@twc.texas.gov) as a part of Section 1.4.2. Program Description.

**1.4.2 Program Description**

Each Board must submit a [SEAL – 1: Program Description[MS Word](https://www.twc.texas.gov/files/partners/seal-1-program-description%20twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-1-program-description%20twc.docx) to TWC by March 1 of each year. The program description must:

* indicate whether the Board will provide Work Readiness Training;
* specify the curriculum and total number of hours for Work Readiness Training if the Board will provide it;
* identify the single hourly wage that VR participants will receive for the paid work experience and include the cost of other associated and necessary costs for the paid work experience;
* indicate that required planning activities are documented; and
* identify a Board SEAL coordinator, payroll provider, work readiness trainer, and staff responsible for establishing worksite placements.

**1.4.3 Outreach and Recruitment**

VR counselors in local VR offices will identify current VR participants who may be appropriate for the SEAL program and initiate the referral process to the Boards using the [SEAL – 2: Referral Form[MS Word](https://www.twc.texas.gov/files/students/seal-2-referral-form-twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-2-referral-form-twc.docx).

If available slots for the program are not filled, Boards must work collaboratively with the local VR staff to plan, identify, and recruit SEAL candidates. Boards may include out-of-school students funded by WIOA Title I in SEAL after filling all VR-funded slots.  
Boards may develop outreach materials or utilize promotional materials provided by TWC to share information about the SEAL program. VR staff can assist Boards in ensuring that all outreach and recruitment materials are available in formats accessible to students with disabilities.

If any outreach materials or activities contain personal identifying information about current VR participants, the Board is responsible for ensuring confidentiality and securing required releases of information.

**1.4.4. SEAL Worksite Development, Orientation, and Training**

Boards are responsible for identifying, recruiting, and developing employment opportunities and worksites in the public and private sectors for paid work experience placements. As part of this responsibility, the Board must orient the employer supervisor and/or manager to their responsibilities, which include:

* modeling expectations;
* giving clear, detailed, and repeated directions;
* communicating expectations for job performance, behavior, and social interactions;
* explaining consequences for inappropriate behavior;
* discussing progress and improvements in performance with both the VR participant and contractor;
* teaching skills needed for successful job performance; and
* communicating regularly with both the VR participant and the Board.

Board efforts to develop work experience opportunities must target high-growth occupations, skilled trades, and other high-demand occupations in the local workforce development area. As the area job market grows or changes, Boards are encouraged to provide work experiences that enable a greater number and variety of career choices for the VR participants.

As a part of this responsibility, the Board or its subcontractor must also orient the VR participant to the worksite no less than one week (7 days) before the placement begins which include the following activities:

* Completion of payroll paperwork
* Collection of I-9 documentation
* Providing instructions on timesheets
* Conducting background checks and/or drug tests (as applicable)
* Signature of any Board required forms

**1.4.4.1 SEAL Candidates**

In addition to students who are current VR participants, candidates for SEAL can also include potentially eligible students who have not applied and been determined eligible for VR services but meet the definition of Student with a Disability as established by WIOA.

**1.4.5 Documenting SEAL Candidate Eligibility**

VR staff will determine eligibility for participation in SEAL and/or for other VR-funded services. Boards must work closely with VR staff to provide necessary documentation for any Board-referred participants.  
Boards may co-enroll students and enter their information into The Workforce Information System of Texas (TWIST) if the Board decides to provide additional non-VR services to the students, provided that those services are funded through other sources available to the Board.

**1.5 SEAL Services**

**1.5.1 Service Description**

Boards must provide the following services to SEAL VR participants:

* pre-employment work readiness training and preparation for the work experience placement, unless the Board chooses not to provide this training;
* work experience to help VR participants gain familiarity with the workplace environment and develop transferable job skills; and
* paid compensation for time worked on the job.

**1.5.2 Staff Qualifications**

Boards must review the qualifications and experience of Board and contractor staff who will provide Work Readiness Training to ensure appropriate knowledge, skills, and abilities regarding instructional techniques, working with youth, and methods for appropriately matching a student with a disability to a work site.  
Staff working directly with SEAL VR participants must have:

* at least a high school diploma or GED diploma; and
* a varied and successful work history.

It is preferred but not required that these staff also have experience working with people with disabilities.

Boards must either subcontract SEAL functions to a third party or meet minimum staffing levels.  

**1.5.2.1 Background Checks**

Board and contractor staff that will provide goods or services directly to VR customers must run a criminal background check on each staff member who will interact with any VR customer. This includes any staff who have any communication or other contact whether in person, on paper, by voice, by sign language, electronically or any other method. The only exception is for staff who never communicate with or are physically present with a VR customer. Background checks must be completed by Board and contractor staff before the employee interacts with any VR customer. If Board or contractor staff elect not to conduct background check on a staff member, the Board or contractor staff must demonstrate that the staff member has never interacted with any VR customer in any way on any subject. All provisions in this section apply equally to any subcontractor.

Board and contractor staff are responsible for purchasing and conducting a background check. A background check consists of running a name-based search from the [Texas Department of Public Safety](https://publicsite.dps.texas.gov/ConvictionNameSearch/) and checking the [National Public Sex Offender public website](https://www.nsopw.gov/?AspxAutoDetectCookieSupport=1).  [How To Use the Conviction Name Search - Criminal History Conviction Name Search](https://publicsite.dps.texas.gov/ConvictionNameSearch/Home/Default/HowToSearch) provides instruction in how to use the Texas Department of Public Safety website, and the [National Public Sex Offender](https://www.nsopw.gov/?AspxAutoDetectCookieSupport=1) website provides information on the program and use of the registry. Board and contractor staff may also conduct a more comprehensive background check on their staff. A more comprehensive background check may substitute for the Texas DPS name-based search.   
  
Board and contractor staff must maintain a record of all background checks conducted, including a screenshot or printed copy from the Texas DPS name-based search and from the National Public Sex offender registry if no results are found. Board and contractor staff must also complete the [Background Checks Attestation and Release Form](https://twc.texas.gov/partners/vocational-rehabilitation-providers-resources) for all staff, which includes:  
  
•    The staff person’s first name and last name;  
•    Type of background search conducted;  
•    Date background search was conducted;  
•    If the search return a conviction;  
•    Date the national public sex offender website search was conducted; and   
•    If the search returned a result   
  
If the background search returned a conviction, the Board and contractor staff must also document:  
  
•    If the conviction is barred per the Convictions Barring Vendor Staff from Performing Services for TWC list;  
•    Whether an exception has been sought;  
•    If an exception was granted, by whom, and on what date  
  
Board and contractor staff must maintain the Background Checks Attestation and Release Form and background check records on file for a minimum of 7-years. TWC may request to review background check records at any time. If background check records are not available to review at time of request, the Board and contractor staff must recreate the search.  
  
Any Board or contractor staff who appear in the National Public Sex Offender database are immediately barred from providing services with TWC.   
  
Any Board or contractor staff member who has a conviction listed on the [Convictions Barring Vendor Staff from Performing Services for TWC](https://twc.texas.gov/partners/vocational-rehabilitation-providers-resources) list must not have any interactions with TWC-VR customers. TWC will consider an exception in some cases to offenses listed under subsection (b) and (c) of the list. Board and contractor staff are responsible for requesting an exception. To request an exception, follow the [Exception to Background Check Instructions](https://twc.texas.gov/partners/vocational-rehabilitation-providers-resources).  Any exception must be approved by the VR Director or designee before any interactions with VR customers occur.    
  
A background check is only valid for 3 years. An updated background check must be obtained no later than the 3-year anniversary date of the original background check, or the Board and contractor staff must remove the employee from interacting with VR customers on and after the date the background check expires.   
  
For Board and contractor staff to self-report noncompliance with background checks refer to Chapter 4.15 Safe and Secure Environments.

Limited contracted services are exempt from the background check requirement, such as for certain types of entities, procurements, services, or goods. See [Contracted Services Exempt from Background Checks](https://twc.texas.gov/partners/vocational-rehabilitation-providers-resources) for a full list of contracted services that are exempt from the background checks requirement.

**1.5.2.2 Self Reporting**

The Board must require all staff, including employees, subcontractor, or volunteers, to self-report any conviction, incarceration, criminal fine, probation, community service, or deferred adjudication occurring after the contractor last performed a background check for that staff member.    
  
When a Board or contractor staff self-identifies a change in their background status, a new background check must be obtained prior to any interactions with VR customers.

**1.5.3 Work Readiness Training**

Work Readiness Training may occur before or during the paid work experience component.

Students participating in the SEAL program may choose whether to participate in Work Readiness Training. The student’s preference will be documented by the VR counselor on the [SEAL – 2: Referral Form[MS Word](https://www.twc.texas.gov/files/students/seal-2-referral-form-twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-2-referral-form-twc.docx).

The Board may choose whether to provide Work Readiness Training. If the Board does not provide the training, the Board must document the decision within the [SEAL – 1: Program Description[MS Word](https://www.twc.texas.gov/files/partners/seal-1-program-description%20twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-1-program-description%20twc.docx) and notify VR staff. If a Board chooses not to provide Work Readiness Training, the Board will not be paid for the Work Readiness Training deliverable.

If the Board provides Work Readiness Training, the Board must offer between six to ten hours of training, covering the following topics:

* Workplace Basics (such as transportation, paycheck basics, and timekeeping)
* Professional Conduct and Employer Expectations
* Communication and Teamwork
* Decision-Making and Problem-Solving
* Timesheet Requirements and Payroll Processes\*

Note: Instruction on payroll processes is allowable; however, time spent filling out payroll paperwork does not count toward the required work readiness training hours.

The Board must specify the curriculum used to deliver Work Readiness Training and provide this information as a part of the [SEAL – 1: Program Description[MS Word](https://www.twc.texas.gov/files/partners/seal-1-program-description%20twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-1-program-description%20twc.docx). The Board must provide the training using instructional approaches that meet each VR participant's educational and disability needs. All training materials must be available in a format that is appropriate to the VR participant's needs, including regular print, large print, or Braille, and must be provided in the VR participant's preferred language. VR staff can assist in ensuring all materials and media used in the training are accessible to the VR participants who have accessibility needs.

Work Readiness trainers are responsible for maintaining attendance records, curriculum, lesson plans, and documentation as proof that required training topics were completed. All curricula and attendance records must be available for review by VR staff upon request. Boards must allow VR staff to observe and support students participating in the work readiness training.   
Boards must ensure that students completing Work Readiness Training are offered a worksite placement.

**1.5.4 Worksite Placement**

After completing the Work Readiness Training, the VR participant will be assigned to a worksite that has been selected by the Board or the Board's contractor. Boards must develop a variety of worksite placements and consider accessibility and location when developing worksites.

Boards are responsible for developing worksite placements that are available for a minimum of five weeks in duration. Boards must collaborate with VR staff to identify appropriate work placements for each VR participant, as well as accommodations that will be needed at a particular worksite. Boards are responsible for notifying the VR counselor, the VR participant, and the VR participant's parents or guardian of the VR participant's worksite placement at least one week (7 days) before the participant’s first workday to allow the participant time to prepare for the job.

When a Board subcontracts SEAL functions to a third party, a VR participant cannot be placed in a worksite that is within the subcontractor's organization. VR participants must be placed within public or private employers outside of TWC, the Board, and any subcontractor organizations.  VR participants cannot be placed at a business owned or operated by family members.

Should an employer require drug screening and/or background checks, the Board or its subcontractor must notify the VR counselor one week (7 days) in advance. The Board must pay for the cost when necessary (the cost of the drug screening and/or background check is factored into the worksite placement deliverable).

VR participants cannot work over forty hours per week. The hourly wage must also comply with the Fair Labor Standards Act. Boards can negotiate the number of hours per week of work available for each VR participant with identified employers. All Texas labor laws apply and must be followed. For more information, visit the [Texas Child Labor Law](https://www.twc.texas.gov/jobseekers/texas-child-labor-law) website.

VR participant wages must be paid timely. Boards may deduct other costs associated with payroll, such as federal income tax withholding, Federal Insurance Contributions Act expenses, workers' compensation insurance, and any fees associated with payroll processing. Boards must set an hourly wage rate for the paid work experience component that is consistent with or based on the hourly wage the Board uses for paid work experience under the WIOA Title I formula youth program.

Boards are required to abide by the following roles and responsibilities for worksite development and collaboration:

|  |  |
| --- | --- |
| Board and Board Contract Staff | VR Staff |
| Boards must ensure that students who complete Work Readiness Training are offered a worksite placement. | VR staff must ensure that VR participants are made aware of the expectations for SEAL worksite placements, including worksite expectations and the program time commitment. |
| Develop worksite placements that are available for a minimum of five weeks in duration. | Share any relevant business contacts with the Board and its contract staff to supplement Board’s worksite development efforts. |
| Identify, recruit, and develop employment opportunities and worksites in the public and private sectors and target high-growth occupations, skilled trades and crafts, and other high-demand occupations in the local workforce development area. | Identify, recruit, and develop referrals for the SEAL program participants. |
| Orient the employer supervisor and/or manager of the SEAL worksite of their responsibilities, which include:   * modeling expectations; * giving clear, detailed, and repeated directions; * communicating expectations for job performance, behavior, and social interactions; * explaining consequences for inappropriate behavior; * discussing progress and improvements in performance with both the VR participant and contractor; * teaching skills needed for successful job performance; and * communicating regularly with both the VR participant and the Board. | Assist the Board in providing disability awareness presentations, worksite analysis, or other forms of assistance to support the Board in working with employers to identify needed VR participant accommodations. |
| Review SEAL – 2: Referral Form and develop appropriate worksite placements that align with VR participant’s interests, abilities, capabilities, preferences, and proximity to home. | Submit SEAL – 2: Referral Form and provide detailed information regarding VR participant’s interests, abilities, capabilities, preferences, and location. |
| Notify the VR counselor, the VR participant, and the VR participant's parents or guardian of the VR participant's worksite placement at least one week (7 days) before the first day of work experience. Orient the student to the worksite, to include:   * Completion of payroll paperwork * Collection of I9 documentation * Providing instructions on timesheets * Conducting background checks and/or drug tests (as applicable) * Signature of any Board required forms | Coordinate any relevant support services, including but not limited to:   * American Sign Language interpreters or language translation services; * screen reader or screen magnification software; * other assistive devices and equipment needed as an auxiliary aid for a student to access or participate in SEAL; and * Work Experience trainers to provide on-site individual or group training to ensure that the VR participants receive needed training and meet the employer's expectations. |
| Provide VR participants a point of contact to utilize in the event of any concerns about the placement | Provide VR participants information regarding SEAL program guidelines and expectations. |
| Responsible for picking up and processing all VR participant timesheets. | May assist with timesheets. |
| Encourage employers to continue serving as SEAL program partners, and to participate in planning, organization, recruitment, and possible retention of employment opportunities for students with disabilities. | Encourage employers to continue serving as SEAL program partners and to participate in planning, organization, recruitment, and possible retention of employment opportunities for students with disabilities. |

**1.5.5 Worksite Monitoring, Oversight**

Boards will provide ongoing worksite monitoring to ensure the VR participant is successful at the job and address any issues. Boards will be responsible for consistently informing VR staff about VR participant progress and/or issues, while collaborating with the VR staff to resolve worksite issues or make needed changes. Boards will be responsible for conducting at least one monitoring visit for each VR participant. If appropriate, monitoring visits may be conducted electronically.

Monitoring is defined as observing the VR participant work at the placement site. The monitoring visit must be documented on the [SEAL – 5: Worksite Monitoring Form[MS Word](https://www.twc.texas.gov/files/partners/seal-5-worksite-monitoring-report-twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-5-worksite-monitoring-report-twc.docx) and include observations and documentation of interaction with the student, employer, and/or work experience trainer. Boards cannot bill for the monitoring deliverable if the visit was not conducted during a time that the VR participant received wages. Wage documentation must indicate that the student was present at the worksite during the monitoring visit. When a student’s first placement ends and they are re-placed, a second monitoring must be conducted at the new place of business.

**1.5.6 Work Experience Training and Interpreter Services**

VR counselors can arrange and purchase support goods or services for VR participants, including the purchase of work experience training services. These services are provided by an approved work experience trainer when a VR participant needs more training and support than is occurring at the worksite.

work experience training may include:

* teaching skills;
* reinforcing skills; and
* natural supports, accommodations, and/or compensatory techniques to increase the VR participant's independence and ability to meet the Work Experience site's expectations.

Work experience training occurs after Worksite Placement has been secured. Work experience training can only be authorized by VR staff and is based on the amount of assistance and/or supervision the VR participant will need to meet the job expectations. The work experience trainer will gradually reduce the time spent with the VR participant at the worksite as the VR participant becomes better adjusted, more independent, and no longer needs training support.

VR staff may arrange and purchase interpreter services as needed for VR participants. An interpreter conveys messages between individuals without contributing to the dialogue.

Interpreter services are provided by qualified interpreters and include:

* sign language and oral interpretation for VR participants who are deaf or hard of hearing; and
* tactile interpretation for VR participants who are deafblind.

Board or contractor staff are responsible for contacting VR staff at least one week (7 days) in advance to request an interpreter or Work Experience trainer to support a student's placement at the worksite. VR staff must agree that a Work Experience trainer or interpreter is necessary for the student, based on the student's support needs, before arranging the service. The duration of this service will be based on the VR participant’s unique needs and job duties. It is expected this service may taper off as the VR participant learns the duties.

The VR participant must work a minimum of four hours a week to constitute one week of work. This minimum is set to allow flexibility for students with the most significant disabilities to participate in the program. Boards should expect that most VR participants will be able to work substantially more hours than the minimum.

**1.5.7 Worksite Retention**

VR participants must complete at least five weeks of paid work experience to qualify as successful completion of the program and for the Board to receive payment for the retention deliverable. Activities that help ensure worksite retention include providing advance notice of worksite placement, conducting monitoring visit(s), maintaining communication with the VR participant and worksite supervisor, and coordinating with VR staff to address any employer or VR participant needs. To meet the requirements for the Worksite Retention deliverable, the Board must verify that the VR participant worked a minimum of four hours per week and a minimum of twenty hours over the five-week placement duration. The Boards must submit supporting documentation that includes hours worked, start/end date of worksite placement, and wages.

**1.5.8 Termination of Service Delivery**

If a VR participant's behavior is a concern, Boards must address the behavior before termination because of the behavior. If behaviors are harmful to the VR participant or others, appropriate actions must be made to ensure that all parties remain safe.

Reasons for terminating services based on behavior may include:

* behaviors dangerous to oneself or others;
* serious infraction of the employer's rules;
* frequent unexcused absenteeism;
* frequent unexcused tardiness; or
* lack of cooperation on assigned tasks.

Every effort must be made to inform the VR counselor before the termination of SEAL services. When the VR counselor cannot be informed before termination, the VR counselor must be informed in writing within one workday after termination. The Board must maintain documentation that the VR counselor was informed of termination. If the VR participant is terminated from the position for reasons outside of the VR participant’s control, the Board will be responsible for developing a new worksite placement for the VR participant. The Board cannot bill for a secondary placement deliverable if a new worksite placement is necessary. Please consult with the VR counselor regarding secondary placement and supports needed (if applicable).

**1.6 Required Reporting**

During the SEAL program, the Boards must track the SEAL participation data and submit the SEAL – 6: Monthly Progress Report to TWC. Boards must begin submitting the report in May. Boards must submit the [SEAL – 6: Monthly Progress Report[MS Word](https://www.twc.texas.gov/files/students/seal-6-monthly-progress-report-twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-6-monthly-progress-report-twc.docx) to [APPO@twc.texas.gov](mailto:APPO@twc.texas.gov) by the 15th of every month for the program duration.

By September 30th, Boards must submit the [SEAL – 7: Program Summary Report[MS Excel](https://www.twc.texas.gov/files/partners/seal-7-program-summary-report-twc.xlsx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-7-program-summary-report-twc.xlsx) which includes:

* a list and count of all students registered for the SEAL program;
* a count of all students who registered but did not participate in the SEAL program;
* a list and count of VR participants who completed the Work Readiness Training;
* a list and count of VR participants who were placed in paid work experience;
* a list and count of the VR participants who successfully completed the paid work experience (worked for at least five weeks) and:
* the worksite placement of each VR participant,
* the hourly wage and weekly hours worked,
* the length of placement (number of weeks) and total hours worked;
* a list and count of all SEAL program worksites; and
* a narrative section identifying and discussing specific successes, challenges, lessons learned, and recommendations for future revisions or improvements to the SEAL program.

The SEAL – 7: Program Summary Report includes a section that summarizes worksites and worksite monitoring activities. This section of the SEAL – 7: Program Summary Report must include a list and total number of worksites, the number of VR participants placed per worksite, host site feedback, and any issues identified and how they were handled. [The SEAL – 7: Program Summary Report](https://www.twc.texas.gov/files/partners/seal-7-program-summary-report-twc.xlsx) must be submitted to [APPO@twc.texas.gov](mailto:APPO@twc.texas.gov).

The SEAL – 8: Cost Report includes a breakdown of operating costs which includes costs associated with personnel, communication and utilities, materials and supplies, rental and leases, direct client support, and other operating costs for Board and Subcontractors. . The SEAL – 8: Cost Report must be submitted to [APPO@twc.texas.gov](mailto:APPO@twc.texas.gov) by September 30th.

**1.7 Financials and Payment Structure**

**1.7.1 Payment**

TWC will pay the Boards for the achievement of the deliverables described in Sections 1.4 SEAL Preparation, 1.5 SEAL Services, and 1.6 Required Reporting by applying the payment structure listed in Section 1.7.8 SEAL Services Payment Structure. Boards must retain documentation to support completion of each deliverable.

TWC is not obligated to pay unauthorized costs or to pay more than the amounts listed for each deliverable in Section 1.7.8. Each deliverable is only billable once.

TWC will not purchase or pay for stipends for any component of the SEAL program.

If an advance payment for approved working capital expenses is received, the Board must review and timely submit a complete reconciliation of actual expenditures paid from those funds within seventy-five days of receipt of advanced funds. See Section 1.7.10 Working Capital Advance for more information.

Boards will not invoice an amount greater than ten percent above total actual costs, as identified on SEAL – 8: Cost Report. In the event a Board invoices beyond the ten percent, a reimbursement must be issued to reconcile total actual costs and remit in accordance with the policy outlined in Section 1.7.11.

**1.7.2 Travel Costs Payment**

TWC will pay Board costs for mileage incurred by Board or Contractor staff associated with the performance of the Pre-ETS worksite monitoring deliverable.

TWC will:

* pay the Board for travel mileage that exceeds fifty miles round trip; and
* pay at the State rate applicable to the time of travel for mileage amounts greater than fifty miles.

The allowable amount for payment is based on the round-trip travel only and determined on the distance traveled between:

* the Board or Board contractor’s listed physical location and the cities or towns where the worksite monitoring occurs; and
* the distance traveled from worksite to worksite within the city or town, if the Board is visiting multiple worksites.

Where possible, the Board must include multiple cities and worksites in each worksite monitoring trip for which TWC pays mileage costs.  
The supporting documentation for the travel cost billing must be submitted on the SEAL Travel Log (Excel) and include the following information:

* Pre-ETS worksites visited;
* date of the travel;
* Board/contractor location (departure point);
* Pre-ETS worksites/destination points;
* total mileage for the round trip; and
* number of round trips for which the travel cost is being invoiced.

The mileage billable amount is equal to the State of Texas reimbursement rate on the date of the travel, as posted on the Texas Comptroller’s website. <https://fmx.cpa.texas.gov/fmx/travel/textravel/rates/current.php>

**1.7.3 Invoicing and Payment for Services**

All invoices must include at a minimum:

* the Board’s complete name and remittance address including city, state, and ZIP code;
* the Board’s fourteen-digit Texas vendor identification number;
* the Board’s contact name and telephone number, email address, or fax number;
* the service authorization number (purchase order);
* the VR office’s name and address, or delivery address, as applicable;
* the contract number;
* a description of the goods or services provided, including the dates of service;
* the quantity and unit cost being billed, as documented on the current service authorization;
* any other information required by applicable state and federal laws, rules, and regulations governing the provision of services under the contract and the policies and standards.

For an invoice example, see the SEAL Invoice posted in this chapter.

**1.7.4 Inaccurate Invoice**

TWC-VRD will not accept invoices that are incorrect or that do not include all the required items.

TWC-VRD will return incomplete or incorrect invoices and any associated reports to the Board and ask the Board to make the necessary corrections.

The Board must resubmit the correct invoice and required documentation for review and payment.

**1.7.5 Recoupment of Funds Paid**

A Board must promptly settle overpayments discovered by TWC.

If a Board discovers the overpayment, the Board must immediately self-report it to the assigned program specialist, other TWC staff, or the TWC contract manager and arrange for reimbursement.

**1.7.6 Payments Due**

TWC is obligated to pay only for goods and services that lead to the results required for payment, as explained in the Board VR Requirements Manual and on the service authorization (purchase order).

**1.7.7 Payment for Services**

Invoices must be complete, accurate, and submitted timely. TWC will accept services that are supported by Board documentation of successful completion of the deliverables in the Payment Schedule. TWC will pay in accordance with the Texas Prompt Payment Act.

VR participants must complete Work Readiness Training if the Board invoices TWC for full payment of that deliverable. If a VR participant does not complete Work Readiness training, the Board may request partial payment of $50 per hour for each hour of the training the VR participant completed.

If Work Readiness Training is not offered by the Board, the Board will not receive payment for the Work Readiness Training deliverable.

Boards must invoice TWC for each VR participant using the SEAL invoice. Boards must submit the required supporting documentation with this invoice. Required supporting documentation for each deliverable is listed in Section 1.7.8 SEAL Services Payment Structure. The Board must submit these invoices at least monthly and may submit them weekly or biweekly.

The invoice must include deliverables submitted for payment, allowable worksite monitoring travel reimbursement, if any, the number of hours the VR participant worked each week, and the Board’s established hourly wage rate.

Boards must submit detailed invoices and supporting documentation to [APPO@twc.texas.gov](mailto:APPO@twc.texas.gov).

Boards must submit one final detailed invoice for the reporting deliverable only. The final invoice must be submitted by September 30th.

Boards cannot incur costs or invoice TWC for an amount that exceeds their contract amount. Boards are responsible for monitoring SEAL expenditures, and if necessary, requesting a contract amendment if the Board anticipates serving more students than projected for the initial contract amount. Boards must request a contract amendment by submitting the request to the TWC contract manager with a copy to [APPO@twc.texas.gov](mailto:APPO@twc.texas.gov) at least thirty days in advance of incurring costs that exceed the contract amount or at least thirty days before the contract end date, whichever comes first, to allow sufficient time for review and processing. Board requests for contract amendments must include the amount requested and justification for the request. Contract amendments will be considered for approval if additional funding is available. Once a contract amendment is approved, the Board will be notified, and the amendment will be executed.

**1.7.8 SEAL Services Payment Structure**

The Board cannot collect money from a VR participant or the VR participant’s family for any SEAL services. If VR and another resource are paying for a service for a VR participant, the total payment received by the Board for the service must not exceed the payment amount specified below.

Schedule of Deliverables and Payments

|  |  |  |
| --- | --- | --- |
| Deliverable | Payment Per VR Participant | Required Supporting Documentation |
| 1. Planning, Coordination, Registration, and Reporting | $145 | [SEAL – 3: Registration List[MS Excel](https://www.twc.texas.gov/files/partners/seal-participant-registration-sample-twc.xlsx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-3-registration-list-twc.xlsx) |
| 2. Work Readiness Training | $513.75 | [SEAL – 4: Work Readiness Training Attendance Sheet[MS Word](https://www.twc.texas.gov/files/partners/seal-work-readiness-attendance-sample-twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-4-work-readiness-training-attendance-sheet-twc.docx) |
| 3. Worksite Identification and Placement | $700 | VR Participant's first timesheet or payroll record following worksite placement |
| 4. Worksite Monitoring | $225 | [SEAL – 5: Worksite Monitoring Form[MS Word](https://www.twc.texas.gov/files/partners/seal-5-worksite-monitoring-report-twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-5-worksite-monitoring-report-twc.docx) |
| 5. Student Wages | Hourly wage rate plus required fees plus processing fee times the number of hours worked | VR Participant timesheet or payroll records |
| 6. Worksite Retention | $200 | Documentation submitted for Student Wages will suffice, if documentation includes hours worked, start/end date of worksite placement, and wages. |
| 7. Reporting | $200 | [SEAL – 6: Monthly Progress Report[MS Word](https://www.twc.texas.gov/files/students/seal-6-monthly-progress-report-twc.docx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-6-monthly-progress-report-twc.docx)  [SEAL – 7: Program Summary Report[MS Excel](https://www.twc.texas.gov/files/partners/seal-7-program-summary-report-twc.xlsx)](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-7-program-summary-report-twc.xlsx)  [SEAL – 8: Cost Report](https://www.twc.texas.gov/sites/default/files/vr/policy/vr-board-ch-1-seal-8-cost-report-twc.xlsx) [MS Excel](https://www.twc.texas.gov/files/partners/seal-7-program-summary-report-twc.xlsx) |

Note: Payment for the Reporting deliverable will be based on the number of students who participated in Work Readiness Training and paid work experience; payment will exclude students who registered but do not participate in either activity.

**1.7.9 Outcomes Required for Payment**

To be eligible for payment, Boards must document and submit information to demonstrate that:

* VR participants were registered for SEAL;
* VR participants completed Work Readiness Training provided by the Board and required topics were covered, if applicable;
* A work experience placement was made at a specific worksite for each VR participant;
* Wages were paid to VR participants based on actual hours worked;
* Worksite monitoring was conducted for each VR participant;
* Wage records confirm a minimum of five weeks of wages; and
* A final summary report was submitted and accepted by TWC.

Boards will be paid one deliverable payment per VR participant for Worksite Monitoring, regardless of the number of monitoring visits conducted.

Boards must ensure that timesheets or payroll records submitted as supporting documentation for wage payments are complete and accurate.

**1.7.10 Working Capital Advance**

A Board may request in writing a working capital advance from TWC. This option recognizes the following:

* the needed services' specialized nature;
* that although Boards can offer the specialized expertise needed, Boards have limited or no unrestricted funds with which to provide the needed services; and
* state policies permit advance payment in limited instances, such as when advance payment is required by a vendor offering specialized services.

Boards that require a working capital advance may request up to 85% of the total amount the Board would be paid for the Work Readiness Training deliverable for the Board's target number of students. Boards must submit the SEAL Working Capital Advance Invoice to [APPO@twc.texas.gov](mailto:APPO@twc.texas.gov) before the effective start date of the service contract. TWC will determine whether to approve an advance payment allowance.

If an advance payment is authorized, TWC will make payment by direct deposit after the contract is fully executed.

**1.7.11 Payment Remittance**

Boards must repay the working capital advance and/or payments received in excess of ten percent over total actual costs at the end of the contract period by submitting the TWC Cash Remittance Report form   (available at http://www.texasworkforce.org/files/partners/cash-remittance-report-twc.pdf ), along with repayment of the working capital advance, to the address specified on the form within thirty calendar days after submission of the Board's final SEAL detailed invoice. When completing the cash remittance form, Boards must:

* type "6" in the column titled Reason Code; and
* type "Remittance of SEAL Advance" or “Remittance of SEAL payment overage” in the text box titled Reason Codes 6. Other (Explain).

**1.8 Frequently Used Terms**

|  |  |
| --- | --- |
| Registered Student | A registered student is a student whose SEAL - 3 Referral Form has been received and has been logged on the SEAL - 3 Registration List |
| Student with a disability | Both current VR participants and potentially eligible students must meet the following criteria to participate in SEAL:   * The student must be 14–22 years of age, and must be less than 22 years of age as of September 1 of the previous year (in other words, participants aged 22 during the summer SEAL program must have turned 22 on or after September 1 of the prior year); * The student is eligible for and receiving special education or related services under the federal Individuals with Disabilities Education Act, or is an individual with a disability for purposes of §504 of the Rehabilitation Act; and * The student is in an educational program, including:   + secondary education;   + nontraditional or alternative secondary education programs, including home schooling;   + postsecondary education programs; or   other recognized educational programs, such as those offered through the juvenile justice system. |
| Target Goal | The Target Goal is the number of students placed at a worksite |
| VR Participant | Customer referred and served by Vocational Rehabilitation |
| Worksite Placement | A VR Participant is placed when they have documented hours worked via a submitted timesheet. |